



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

**MANUFACTURED HOUSING COMMISSION
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES**

2501 Woodlake Circle, Conference Room #3

Okemos, Michigan

AGENDA

December 19, 2007

10:00 a.m.

1. Call to Order and Determination of Quorum
2. Approval of Agenda (pages 1-2)
3. Approval of Minutes — October 10, 2007 (pages 3-27)
4. Manufactured Housing Commission Fees Financial Report – FY 2007 4th Quarter (Handout available at meeting)
5. Public Comment [If issues are raised during public comment which require a response, the Commission's Executive Director will respond and Commissioners who wish to comment will make their comments after the Executive Director's response. The Commission will not allow public comment about the substance of open or closed complaints (unless, if regarding a closed complaint, the right to appeal is waived) but will allow public comment about procedural issues related to complaints. Public comment will be limited to 10 minutes for an individual representing an organization and 5 minutes for an individual not representing an organization; the Commission chairperson may grant the individual an additional 10 minutes.]

The meeting site is accessible, including handicapped parking. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations in order to participate in the meeting should contact Brenda Caron by phone at (517) 241-9317 or by email to caronb@michigan.gov at least 10 work days before the event.

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6. Imposition of Penalties
 - a. College Park Mobile Home Community and Roy N. Gruenburg, Owner and Operator (pages 28-48)
 - b. Patricia L. Gitler, Sole Proprietor and Operator d/b/a Hunters Creek Estates (pages 49-73)
 - c. Kind Community, Inc., and Deborah L. Kind, President and Operator (pages 74-97)
7. Variances
 - a. Update on Spring Valley Mobile Home Park (Kent County)
8. Committee Reports
9. Old Business
10. New Business
 - a. Election of Officers
 - b. Report on Annual Inspections of Manufactured Home Communities
 - c. License Approval (page 98)
11. Executive Director's Report
12. Other Business
13. Adjournment



JENNIFER M. GRANHOLM
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DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

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MANUFACTURED HOUSING COMMISSION
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES
2501 Woodlake Circle, Conference Room #3
Okemos, Michigan

MINUTES — DRAFT

October 10, 2007
10:00 a.m.

MEMBERS PRESENT

Mr. Ronald Blank, Vice-Chairperson
Ms. Betty Blackburne
Ms. Kathy Edwards-Johnson
Ms. Carole Elliott
Ms. Mary Fowlie

Mr. Kevin Gillette
Mr. David Hagey
Mr. Mark Raukar
Mr. Jerome Ruggirello

MEMBERS ABSENT

Ms. Brenda Abbey – Excused
Ms. Lisa Szymanski – Excused

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH PERSONNEL ATTENDING

Mr. Mark Sisco, Deputy Director, Bureau of Construction Codes (BCC)
Mr. Larry Lehman, Chief, Building Division, BCC
Mr. Charles Curtis, Assistant Chief, Building Division, BCC
Mrs. Brenda Caron, Executive Secretary, Building Division, BCC
Mr. Kevin DeGroat, Regulation Specialist, Office of Local Government & Consumer Services (OLGCS), BCC
Mr. Bill DeTemple, Analyst, OLGCS, BCC
Mr. Irvin Poke, Chief, Plan Review Division, BCC

OTHERS IN ATTENDANCE

Mr. Tim DeWitt, MMHA
Mr. Walter Elliott, Swan Creek MHP
Ms. Myrtle Frith, Cadgewith Farms
Mr. Lynwood Wellhausen, Rudgate Communities

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1. **CALL TO ORDER AND DETERMINATION OF QUORUM**

The meeting was called to order at approximately 10:00 a.m. by Vice-Chairperson Blank. A quorum was determined to be present at that time. Vice-Chairperson Blank welcomed two new commissioners who were recently appointed to the Commission: Jerome Ruggirello and Betty Blackburne.

2. **APPROVAL OF THE AGENDA**

A **MOTION** was made by Commissioner Elliott and supported by Commissioner Raukar to approve the Agenda. **MOTION CARRIED.**

****Addendum 1

3. **APPROVAL OF MINUTES**

A **MOTION** was made by Commissioner Fowlie and supported by Commissioner Elliott to approve the minutes of the August 15, 2007, meeting. **MOTION CARRIED.**

****Addendum 2

4. **MANUFACTURED HOUSING COMMISSION FEES FINANCIAL REPORT**

Mr. Lehman reported that due to the State of Michigan's year-end closing which just ended on September 30, 2007, the Commission Fees financial report is unavailable at this time because all of the data has not been compiled yet.

5. **PUBLIC COMMENT**

Ms. Myrtle Frith of Cadgewith Farms asked to speak to the Commission and provided them with a handout. Her discussion was related to an open complaint regarding responsibility of skirting and individual sidewalks/walkways. She requested that the Commission provide an interpretive statement on these issues.

After discussion, Mr. Lehman indicated that Bureau staff will respond to Ms. Frith's concerns and will provide a copy of the response to the Commission prior to the next meeting.

6. **IMPOSITION OF PENALTIES**

In the Matter of Simaan & Semaan Investments, Inc., d/b/a Centre Chateau Mobile Home Park, and Jimmy Semaan, President and Operator

No one was present to represent the Respondents.

Mr. DeGroat represented the Bureau of Construction Codes.

After discussion, a **MOTION** was made by Commissioner Gillette and supported by Commissioner Hagey to impose a civil fine in the amount of Three Thousand Dollars (\$3,000.00); an additional civil fine in the amount of Seven Thousand Dollars (\$7,000.00) and automatic revocation of the Respondents' Manufactured Housing Community License No. P001261 sixty (60) days from the date of the Final Order if Respondents do not pay the initial Three Thousand Dollar (\$3,000.00) civil fine and submit documentation cited in Counts I and II in the Order to Show Cause issued on July 18, 2007. Revocation of Respondents' Manufactured Housing Community License No. P001261 shall automatically require Respondents and any manufactured housing licensee of the Bureau to not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the Act during the time of suspension or revocation under Rule R125.1214b. Revocation of Respondents' Manufactured Housing Community License No. P001261 shall automatically result in a request by the Manufactured Housing Commission that a receiver be appointed. If the license is revoked, the Respondents shall make full restitution to all existing Centre Chateau residents of One Hundred Percent (100%) of the lot rent that each resident has paid to the Respondents after Respondents' Manufactured Housing Community License has been revoked until such time that a Receiver has been appointed. Should Respondents qualify for and obtain a Manufactured Housing Community License after the effective date of the Final Order, the license issued shall contain the limitation that it will automatically be revoked if Respondents fail to comply with the Act and shall automatically result in a request by the Manufactured Housing Commission that a Receiver be appointed if deemed necessary by the Department; if Respondents' Manufactured Housing Community License is revoked pursuant to the limitation described above, Respondents shall make full restitution to all customers to whom Respondents have not delivered contractually stipulated services of One Hundred Percent (100%) of the value of those services after revocation of the license. **MOTION CARRIED.**

****Addendum 3

7. **VARIANCES**

There were no variances requested. However, a variance matter that was tabled at the last Commission meeting on August 15, 2007, was discussed.

Spring Valley Mobile Home Park (Kent County)

No one was present to represent the community.

Mr. DeGroat indicated that according to the last Commission meeting, representatives from Spring Valley Mobile Home Park were to return today and present information regarding correction of a series of 4' clear pathway violations. Since that time, Mr. DeGroat received a faxed letter dated 9/6/07 from Attorney Jeff Shanbom indicating that the operator had a family illness/death and preparations from the death that drew her away from preparing for the Commission meeting. So they requested that a 30 day extension be granted in which to supply us with the needed documentation for those sites that were under the 4' pathway requirement. Mr. DeGroat clarified that when Spring Valley left the last meeting, they were to come back today and either have cured everything or to clarify the violations that they had issues with.

Commissioner Edwards-Johnson mentioned that she was contacted by Plainfield Township, which is the local municipality for Spring Valley as well as other properties that she runs, asking her advice on how they can handle some homes that are in Spring Valley Mobile Home Park that had been condemned. So she recommended that they contact Mr. DeGroat. Mr. DeGroat indicated that Plainfield Township sent him a letter with various violations that their own inspectors had identified. The township's greatest concern is that the property maintenance of the park has gone downhill at an increasing rate over the last two years impacting the quality of life, health and safety of the park residents. They also indicated that, for a number of years, they have attempted to get the violations that their inspectors identified corrected but with no success. The township is also opposed to the park's variance requests based on their past experience with the park.

Commissioner Edwards-Johnson indicated that after Plainfield Township called her, she decided to drive through this park. She feels that the State should go back and do another very thorough inspection.

After a lengthy discussion, a **MOTION** was made by Commissioner Gillette and supported by Commissioner Hagey to remove this item from the table and place it back on the agenda for the December 19, 2007, Commission meeting. **MOTION CARRIED.**

8. **COMMITTEE REPORTS**

Ordinance Review

Village of Breckenridge (Gratiot County)

No one was present to represent the village.

Mr. DeGroat reviewed the request.

A **MOTION** was made by Commissioner Gillette and supported by Commissioner Edwards-Johnson to accept the Committee's recommendation. **MOTION CARRIED.**
****Addendum 4

Gladwin County

No one was present to represent the county.

Mr. DeGroat reviewed the request.

A **MOTION** was made by Commissioner Gillette and supported by Commissioner Edwards-Johnson to accept the Committee's recommendation. **MOTION CARRIED.**
****Addendum 5

9. **OLD BUSINESS**

Update on Built Rite Homes' Compliance with Final Order

Mr. DeGroat informed the Commission that Built Rite Homes complied with the Final Order prior to the 60 day deadline by reimbursing Mr. Ruby \$10,000.00 for the unreturned balance of the \$30,000.00 consumer deposit, and providing the Bureau with documentation confirming that the checks had been issued to Mr. Ruby. Therefore, this case was closed by the Bureau.

10. **NEW BUSINESS**

Report on Annual Inspections of Manufactured Home Communities

Mr. Lehman reported that we don't quite have 100% of the communities inspected for 2007 but are real close. Out of a total of 1,156 parks, 622 of the parks inspected had one or more violations. The Bureau is in the process of converting the manufactured housing database into PermitsPlus, which is the database that the Bureau uses for all of the permitting and licensing. This will give us a lot of advantages, including allowing the inspectors to view the licensing information as far as when the park was constructed. They will also be able to download their inspection file electronically to the Bureau.

Mr. Lehman indicated that the inspectors should be starting the 2008 annual inspections within the next month or two.

License Approval

A **MOTION** was made by Commissioner Edwards-Johnson and supported by Commissioner Elliott to approve all pending licenses based on Bureau staff investigating to see if "Inside Realty, LLC has had any previous licensing action taken against their operator. If so, then their license will be put on hold and further information brought back before the Commission before it's approved. **MOTION CARRIED.**

****Addendum 6

11. EXECUTIVE DIRECTOR'S REPORT

Mr. Lehman announced that Scott Fisher, Director of the Office of Local Government and Consumer Services, is on medical leave for a while.

The Bureau recently announced that the Electrical and Mechanical Code Rules will go into effect November 23, 2007, for the adoption of the 2006 Michigan Electrical and Mechanical Codes. The Plumbing Code will go into effect January 24, 2008. The Building, Residential and Rehabilitation Codes are on hold for now pending further meetings. As of now, they will not be adopted before March 2008.

Mr. Lehman also announced that this week he completed his final draft analysis of the proposed Manufactured Housing Commission Rules, and it has been sent out to Bureau staff. So probably within the next couple of weeks, a final draft of the Rules will be put together. They will be forwarded to the Commission for your review. We did have to propose a number of changes, based on our most recent meeting with DEQ, relative to what DEQ in fact is going to do in relationship to water and sewer inspections. So there has been some changes to the proposed rules. The next step in the process when we get approval is to hold a public hearing on the proposed Rules.

12. OTHER BUSINESS

Vice-Chairperson Blank announced that officially after 30 years Brian Fannon is no longer part of the Commission, and he wondered if we could prepare something to be presented to him at a later meeting. The Bureau will look into what the options are and the cost.

13. ADJOURNMENT

At 11:05 a.m., a **MOTION** was made by Commissioner Gillette and supported by Commissioner Elliott to adjourn the meeting. **MOTION CARRIED.**



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DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES
2501 Woodlake Circle, Conference Room #3
Okemos, Michigan

AGENDA

October 10, 2007
10:00 a.m.

APPROVED

1. Call to Order and Determination of Quorum
2. Approval of Agenda (pages 1-2)
3. Approval of Minutes — August 15, 2007 (pages 33-47)
4. Manufactured Housing Commission Fees Financial Report – FY 2007 4th Quarter Preliminary Report (Handout available at meeting)
5. Public Comment [If issues are raised during public comment which require a response, the Commission's Executive Director will respond and Commissioners who wish to comment will make their comments after the Executive Director's response. The Commission will not allow public comment about the substance of open or closed complaints (unless, if regarding a closed complaint, the right to appeal is waived) but will allow public comment about procedural issues related to complaints. Public comment will be limited to 10 minutes for an individual representing an organization and 5 minutes for an individual not representing an organization; the Commission chairperson may grant the individual an additional 10 minutes.]

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6. Imposition of Penalties
 - a. Simaan & Semaan Investments, Inc., d/b/a Centre Chateau Mobile Home Park, and Jimmy Semaan, President and Operator (pages 3-22)
7. Variances
8. Committee Reports
 - a. Ordinance Review Committee (pages 23-30)
9. Old Business
 - a. Update on Built Rite Homes' Compliance with Final Order
10. New Business
 - a. Report on Annual Inspections of Manufactured Home Communities
 - b. License Approval (pages 31-32)
11. Executive Director's Report
12. Other Business
13. Adjournment



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DEPARTMENT OF LABOR & ECONOMIC GROWTH
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DIRECTOR

MANUFACTURED HOUSING COMMISSION
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES
2501 Woodlake Circle, Conference Room #3
Okemos, Michigan

MINUTES
August 15, 2007
10:00 a.m.

APPROVED

MEMBERS PRESENT

Mr. Brian Fannon, Chairperson
Mr. Ronald Blank, Vice-Chairperson
Ms. Kathy Edwards-Johnson
Ms. Carole Elliott

Ms. Mary Fowlie
Mr. Kevin Gillette
Mr. David Hagey

MEMBERS ABSENT

Ms. Brenda Abbey – Unexcused
Mr. Mark Raukar – Excused
Mr. Michael Shivok – Unexcused

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH PERSONNEL ATTENDING

Mr. Larry Lehman, Chief, Building Division, Bureau of Construction Codes (BCC)
Mr. Charles Curtis, Assistant Chief, Building Division, BCC
Mrs. Brenda Caron, Executive Secretary, Building Division, BCC
Mr. Scott Fisher, Director, Office of Local Government & Consumer Services (OLGCS), BCC
Mr. Kevin DeGroat, Regulation Specialist, OLGCS, BCC
Mr. Bill DeTemple, Analyst, OLGCS, BCC
Mr. Irvin Poke, Chief, Plan Review Division, BCC
Mr. Dave Vigas, Director, Office of Management Services, BCC

OTHERS IN ATTENDANCE

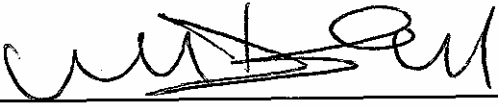
Mr. Tim DeWitt, MMHA
Mr. Walter Elliott, Swan Creek MHP
Mr. John Fiero, Boss Engineering
Ms. Lorrie Glassford, Spring Valley MHP
Mr. Jeff Shanbom, Spring Valley MHP

Ms. Shelly Taylor, Raisin Ridge MHC
Mr. Ken Thompson, Williamsburg Village MHC
Mr. Sam Wardlaw, Don Westphal Associates
Mr. Lynwood Wellhausen, Rudgate Communities

Signatures

Drafted by: Brenda S. Caron Date: August 24, 2007
Brenda S. Caron, Secretary
Building Division

Approved by the Manufactured Housing Commission on: October 10, 2007


Ronald A. Blank, Vice-Chairperson
Manufactured Housing Commission

**MANUFACTURED HOUSING COMMISSION
BUREAU OF CONSTRUCTION CODES**

2501 Woodlake Circle
Okemos, Michigan 48864

In the Matter of:

Simaan & Semaan Investments, Inc., d/b/a
Centre Chateau Mobile Home Park
135 Jane Street
Centerville, Michigan 49032

BCC Complaint No. RC 07-0465

(Community Address)

Jimmy Semaan, President and Operator
Simaan & Semaan Investments, Inc., d/b/a
Centre Chateau Mobile Home Park
1257 Haggerty
Commerce Twp., Michigan 48382

(Community Mailing Address)

Jimmy Semaan, President and Operator
Simaan & Semaan Investments, Inc., d/b/a
Centre Chateau Mobile Home Park
8233 Gitzen Street
Commerce Township, Michigan 48382-4578

(Operator's Address)

Manufactured Housing Community License No. P001261

(Respondents)

**FINAL ORDER OF THE MANUFACTURED HOUSING COMMISSION
TO IMPOSE CIVIL FINE,
TO IMPOSE REVOCATION OF LICENSE,
AND TO IMPOSE ORDER OF RESTITUTION
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

JIMMY SEMAAN, PRESIDENT AND OPERATOR
SIMAAN & SEMAAN INVESTMENTS, INC., D/B/A
CENTRE CHATEAU MOBILE HOME PARK
FINAL ORDER

WHEREAS, the Michigan Department of Labor & Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq; MSA 3.560(101) et seq; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq; MSA 19.855(101) et seq (hereafter the Act), and the Rules promulgated under the Act (hereafter the Rules), issued a Findings of Fact, Conclusions of Law, Order to Cease and Desist, and Recommendation to Impose Penalties Pursuant to the Mobile Home Commission Act (hereafter the Order Finding Facts and Violations) on August 13, 2007, that was forwarded to the Manufactured Housing Commission for the imposition of penalties; and

WHEREAS, the Order Finding Facts and Violations and Notice that the Manufactured Housing Commission would take action imposing penalties pursuant to the Order Finding Facts and Violations at its regularly scheduled meeting on October 10, 2007, was served on Respondents by certified mail on August 15, 2007, at 135 Jane Street, Centerville, Michigan 49032; 1257 Haggerty, Commerce Township, Michigan 48382; and 8233 Gitzen Street, Commerce Township, Michigan 48382. The same was received by Respondents on August 20, 2007; and

WHEREAS, the Manufactured Housing Commission, at its regularly scheduled meeting on October 10, 2007, reviewed the Order Finding Facts and Violations, which is appended hereto and incorporated herein by reference; and

JIMMY SEMAAN, PRESIDENT AND OPERATOR
SIMAAN & SEMAAN INVESTMENTS, INC., D/B/A
CENTRE CHATEAU MOBILE HOME PARK
FINAL ORDER

WHEREAS, the Manufactured Housing Commission voted unanimously to impose the following penalties:

IT IS ORDERED, pursuant to Section 43(1) (g) of the Act, that RESPONDENTS SHALL, within 60 days of the Commission's issuance of this Order:

- a. Submit to the Bureau the documentation cited in Counts I and II in the Order to Show Cause issued on July 18, 2007.
- b. Remit a civil fine in the amount of Three Thousand Dollars (\$3,000.00), which shall be paid by certified, cashier's, or bank money order check payable to the State of Michigan. This check shall be mailed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, P.O. Box 30255, Lansing, Michigan 48909.

Respondents' failure to comply with Items (a) and (b) above shall result in imposition of the following additional penalties:

- c. In addition to the civil fine in the amount of Three Thousand Dollars (\$3,000.00) as prescribed in Item (b) above, a civil fine in the amount of Seven Thousand Dollars (\$7,000.00).
- d. Revocation of Respondents' Manufactured Housing Community License Number P001261.
- e. Revocation of Respondents' Manufactured Housing Community License Number P001261 shall automatically require Respondents and any manufactured housing licensee of the Bureau to not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the act during the time of suspension or revocation, under Rule R125.1214b, as stated in the last paragraph on page seven of the July 18, 2007, Order to Show Cause.
- f. Revocation of Respondents' Manufactured Housing Community License Number P001261 shall automatically result in a request by the Manufactured Housing Commission that a receiver be appointed.

JIMMY SEMAAN, PRESIDENT AND OPERATOR
SIMAAN & SEMAAN INVESTMENTS, INC., D/B/A
CENTRE CHATEAU MOBILE HOME PARK
FINAL ORDER

- g. Respondents shall make full restitution to all existing Centre Chateau residents of One Hundred Percent (100%) of the lot rent that each resident has paid to the Respondents after Respondents' Manufactured Housing Community License has been revoked until such time that a Receiver has been appointed.

IT IS FURTHER ORDERED, pursuant to Section 38(2) of the Act, because Respondents have engaged in acts or practices constituting violations of the Act or Rules or an Order issued thereunder, that Respondents CEASE AND DESIST from any act or practice constituting a violation of the Act or Rules or an Order issued pursuant to the Act.

IT IS FURTHER ORDERED, pursuant to Section 43(1)(c) of the Act, that should Respondents qualify for and obtain a Manufactured Housing Community License after the effective date of this Final Order, the LICENSE ISSUED SHALL CONTAIN THE LIMITATION THAT IT WILL AUTOMATICALLY BE REVOKED IF RESPONDENTS FAIL TO COMPLY WITH THE ACT. Revocation of the license shall automatically result in a request by the Manufactured Housing Commission that a Receiver be appointed, if deemed necessary by the Department.

IT IS FURTHER ORDERED, pursuant to Section 43(1) (h) of the Act, that if Respondents' Manufactured Housing Community License is revoked, under the limitation described in the preceding paragraph, RESPONDENTS SHALL MAKE FULL RESTITUTION to all customers to whom Respondents have not delivered contractually stipulated services, of One Hundred Percent (100%) of the value of those services after revocation of the license.

JIMMY SEMAAN, PRESIDENT AND OPERATOR
SIMAAN & SEMAAN INVESTMENTS, INC., D/B/A
CENTRE CHATEAU MOBILE HOME PARK
FINAL ORDER

IT IS FURTHER ORDERED that this Final Order is effective immediately.

ANY COMMUNICATION regarding this Final Order should be addressed to the
Michigan Department of Labor & Economic Growth, Bureau of Construction Codes, Building
Division, Attention: Larry Lehman, Chief; P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF
LABOR & ECONOMIC GROWTH


MANUFACTURED HOUSING COMMISSION
Ronald A. Blank, Vice-Chairperson

Dated: 10/10/07

A Copy of this Order was sent by Certified Mail to:

Simaan & Semaan Investments, Inc., d/b/a
Centre Chateau Mobile Home Park
135 Jane Street
Centerville, Michigan 49032

(Community Address)

Jimmy Semaan, President and Operator
Simaan & Semaan Investments, Inc., d/b/a
Centre Chateau Mobile Home Park
1257 Haggerty
Commerce Twp., Michigan 48382

(Community Mailing Address)

JIMMY SEMAAN, PRESIDENT AND OPERATOR
SIMAAN & SEMAAN INVESTMENTS, INC., D/B/A
CENTRE CHATEAU MOBILE HOME PARK
FINAL ORDER

Jimmy Semaan, President and Operator
Simaan & Semaan Investments, Inc., d/b/a
Centre Chateau Mobile Home Park
8233 Gitzen Street
Commerce Township, Michigan 48382-4578

(Operator's Address)

A Copy of this Order was sent by Interdepartmental Mail to:

Larry Lehman, Chief
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Mark Sisco, Deputy Director
Administration
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Scott D. Fisher, Director
Office of Local Government and Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Nichole Churches
Michigan Department of Environmental Quality
Water Bureau
Constitution Hall, 2nd Floor South
Lansing, Michigan 48909-8130

**MANUFACTURED HOUSING COMMISSION
BUREAU OF CONSTRUCTION CODES**

2501 Woodlake Circle
Okemos, Michigan 48864

In the Matter of:

VILLAGE OF BRECKENRIDGE

Gratiot County

Ms. Cynthia E. Winland
Crescent Consulting
P.O. Box 1184
Midland, MI 48641

**ORDER OF THE MANUFACTURED HOUSING COMMISSION
TO CONDITIONALLY APPROVE PROPOSED
LOCAL ORDINANCE PURSUANT TO
THE MOBILE HOME COMMISSION ACT**

WHEREAS, the Manufactured Housing Commission (hereafter the Commission), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq.; MSA 3.560(101) et seq.; Executive Order 1996-2; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq.; MSA 19.855(101) et seq. (hereafter the Act); and the rules promulgated under the Act (hereafter the Rules), received a proposed local ordinance higher standard from the Village of Breckenridge on August 24, 2007; and

WHEREAS, the Commission reviewed the proposed local ordinance higher standard at its meeting on October 10, 2007.

IT IS THEREFORE ORDERED that the proposed local ordinance higher standard submitted by the local government on August 14, 2007, be and hereby is APPROVED as amended:

Sections 306(A), (C) [Internal Roads], (D) (1) [Vehicle Parking], (E), (F) in italics, (I) [Open Space], and (J), pp. 1 to 7, are APPROVED.

WHEREAS, pursuant to Section 7(1) of the Act, MCL 125.2307(1), the Commission finds the unrevised sections of the proposed local ordinance higher standards submitted by the local government are unreasonable, arbitrary, or not in the public interest:

Section 306 (B), pp. 1-2, is DENIED. This section comprises a higher standard than Rule R125.1945. Moreover, the way in which the Village measures the dimensions of the screen buffer and the development property line setbacks need to be defined and distinguished. The present language is unclear and, therefore, not in the public interest.

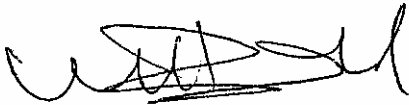
Section 306 (F), [Title: WATER SUPPLY, FIRE HYDRANTS, AND SANITARY SYSTEM], p. 6, is DENIED, because water supply and fire hydrants are not covered by the ensuing edited paragraph subject, thereby creating reader confusion that is not in the public interest. This may be remedied by re-captioning the section heading to read, "SANITARY SYSTEM."

Section 306 (H), p. 6, is DENIED as a less specific and comprehensive higher standard than the minimum governing criteria established in Rules R125.1932 through 1940 of the Manufactured Housing Commission Rules. The revised August 23, 2007, submission referencing, "Ord. #35, adopted August 24, 19981(sic)" was considered, but provides insufficient justification for this provision.

IT IS FURTHER ORDERED that, pursuant to Rule 125(2), R 125.1125(2), the sections of the proposed local ordinance higher standard cited above as denied will be denied fifteen days from the date of the receipt of this Order. If a written request for hearing is filed with the Commission by the local government within fifteen days of receipt of this Order, then the matter shall be set down for hearing to commence without undue delay. If a written request for hearing is not filed with the Commission by the local government within fifteen days of receipt of this

Order, then the proposed higher standard shall be automatically denied and this Order shall be a final order in the matter.

ANY COMMUNICATIONS regarding this Order should be addressed to the Michigan Department of Labor and Economic Growth, Bureau of Construction Codes, Office of Local Government & Consumer Services, Attention: Kevin G. DeGroat, P.O. Box 30254, Lansing, Michigan 48909-8203.



MANUFACTURED HOUSING COMMISSION
Ronald A. Blank, Vice-Chairperson

October 10, 2007

**MANUFACTURED HOUSING COMMISSION
BUREAU OF CONSTRUCTION CODES**

2501 Woodlake Circle
Okemos, Michigan 48864

In the Matter of:

GLADWIN COUNTY

Ms. Cynthia E. Winland
Crescent Consulting
P.O. Box 1184
Midland, MI 48641

**ORDER OF THE MANUFACTURED HOUSING COMMISSION
TO CONDITIONALLY APPROVE PROPOSED
LOCAL ORDINANCE PURSUANT TO
THE MOBILE HOME COMMISSION ACT**

WHEREAS, the Manufactured Housing Commission (hereafter the Commission), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq.; MSA 3.560(101) et seq.; Executive Order 1996-2; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq.; MSA 19.855(101) et seq. (hereafter the Act); and the rules promulgated under the Act (hereafter the Rules), received a proposed local ordinance higher standard from Gladwin County on August 24, 2007; and

WHEREAS, the Commission reviewed the proposed local ordinance higher standard at its meeting on October 10, 2007.

IT IS THEREFORE ORDERED that the proposed local ordinance higher standard submitted by the local government on August 14, 2007, be and hereby is APPROVED as amended:

Sections 7.16 (1), (4) [Internal Roads], (5) (A) [Vehicle Parking], (6), (7) in italics, (10) [Open Space], and (11), pp. 1 to 6, are APPROVED.

WHEREAS, pursuant to Section 7(1) of the Act, MCL 125.2307(1), the Commission finds the unrevised sections of the proposed local ordinance higher standards submitted by the local government are unreasonable, arbitrary, or not in the public interest:

Section 7.16 (2), pp. 1-2, is DENIED. This section comprises a higher standard than Rule R125.1945. Moreover, the way in which the County measures the dimensions of the screen buffer and the development property line setbacks need to be defined and distinguished. The present language is unclear and, therefore, not in the public interest.

Section 7.16 (3), [Title: STREETS, SIDEWALKS AND PUBLIC WAYS], p. 2, is DENIED, because this topic is not covered by the following now-stricken paragraph, thereby creating reader confusion that is not in the public interest. This may be remedied by deleting this topical paragraph, which is re-captioned as "Internal Roads" in subsection 7.16 (4).

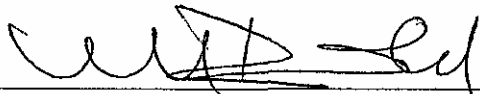
Section 7.16 (7), [Title: WATER SUPPLY, FIRE HYDRANTS, AND SANITARY SYSTEM], p. 6, is DENIED, because water supply and fire hydrants are not covered by the ensuing edited paragraph subject, thereby creating reader confusion that is not in the public interest. This may be remedied by re-captioning the section heading to read, "SANITARY SYSTEM."

Section 7.16 (9), p. 6, is DENIED as a less specific and comprehensive higher standard than the minimum governing criteria established in Rules R125.1932 through 1940 of the Manufactured Housing Commission Rules.

IT IS FURTHER ORDERED that, pursuant to Rule 125(2), R 125.1125(2), the sections of the proposed local ordinance higher standard cited above as denied will be denied fifteen days from the date of the receipt of this Order. If a written request for hearing is filed with the Commission by the local government within fifteen days of receipt of this Order, then the matter

shall be set down for hearing to commence without undue delay. If a written request for hearing is not filed with the Commission by the local government within fifteen days of receipt of this Order, then the proposed higher standard shall be automatically denied and this Order shall be a final order in the matter.

ANY COMMUNICATIONS regarding this Order should be addressed to the Michigan Department of Labor and Economic Growth, Bureau of Construction Codes, Office of Local Government & Consumer Services, Attention: Kevin G. DeGroat, P.O. Box 30254, Lansing, Michigan 48909-8203.



MANUFACTURED HOUSING COMMISSION
Ronald A. Blank, Vice-Chairperson

October 10, 2007

PENDING LICENSE APPROVALS
OCTOBER 10, 2007 – MANUFACTURED HOUSING COMMISSION

INSTALLER/SERVICER	RETAILER
Parkwood Village LC 11324 East Road Burt, MI 48417 Glenna Joy Adams, Operator	Denmark Services, LLC Denmark Homes 360 E. Tuttle Road Ionia, MI 48846 D. Mark Krueger, Operator
Herbert Charles Greer, Jr. H & R Services 315 S. Arcade Street Gladwin, MI 48624	Denmark Services, LLC Denmark Homes 515 Mason Road Howell, MI 48843 D. Mark Krueger, Operator
Inside Realty, LLC 1877 Orchard Lake Road, Suite 204 Sylvan Lake, MI 48320 Ramaj Evduza, Operator	Denmark Services, LLC Denmark Homes 4524 Leonard, NW Grand Rapids, MI 49534 D. Mark Krueger, Operator
Michael Thacker 9582 W. Fletcher Greenville, MI 48838	Denmark Services, LLC Denmark Homes 2109 Redwood Avenue Columbus, MI 48063 D. Mark Krueger, Operator
	Denmark Services, LLC Denmark Homes 10825 Rawsonville Road Belleville, MI 48111 D. Mark Krueger, Operator
	Denmark Services, LLC Denmark Homes 9626 Oak Hill Road Holly, MI 48442 D. Mark Krueger, Operator
	Denmark Services, LLC Denmark Homes 3823 Bay City Road Midland, MI 48642 D. Mark Krueger, Operator
	Denmark Services, LLC Denmark Homes 711 Mary Jane Court Dundee, MI 48131 D. Mark Krueger, Operator

	Lakewood Mobile Home Park LLC 655 Maple Lane Pentwater, MI 49449 Andrew E. Todd, Operator
	Isabella Development Corporation d/b/a Isabella Village 5232 E. Broadway Road Mt. Pleasant, MI 48858 E. Frank Tiahrt, Operator
	Inside Realty, LLC 1877 Orchard Lake Road, Suite 204 Sylvan Lake, MI 48320 Ramaj Evduza, Operator

**ADDITIONAL PENDING LICENSE APPROVALS
OCTOBER 10, 2007 – MANUFACTURED HOUSING COMMISSION**

INSTALLER/SERVICER	RETAILER
Sean Forro Efficient Insulation 16661 25 Mile Road Macomb, MI 48042	Dagenais Real Estates, Inc. 1620 Willow Creek Road Escanaba, MI 49829 Robert Dagenais, Operator
Richard Spear Spear's Manufacturing Housing Repair 11113 Roanne Ira, MI 48023	Manufactured Home Services, Inc. 3313 Lily Court Midland, MI 48642 Patrick J. Murphy, Operator
	Calvin Homes of Michigan, Inc. 7203 S. Division Grand Rapids, MI 49548 Ralph J. Cochran, Operator
	Northwood Investment Properties, Inc. d/b/a Borderland Realty N3948 Hwy. US-2 Iron Mountain, MI 49801 Kay A. Steinbrecher, Operator

**STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES**

In the Matter of:

College Park Mobile Home Community
1111 Catherine Street
Big Rapids, Michigan 49307

BCC Complaint No. AIR 07-0777

(Community Address)

Roy N. Gruenburg, Owner and Operator
College Park Mobile Home Community
25501 Van Dyke
Center Line, Michigan 48015

(Community Mailing Address)

Manufactured Housing Community License No. P000990

(Respondent)

_____ /

Issued and entered

this 20th day of November, 2007

by Scott Fisher, Director

Office of Local Government and Consumer Services

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
ORDER TO CEASE AND DESIST, AND
RECOMMENDATION TO IMPOSE PENALTIES
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

WHEREAS, the Michigan Department of Labor and Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq.; MSA 3.560 (101) et seq.; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq.; MSA 19.855 (101) et seq. (hereafter the Act), and the Rules promulgated under

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME COMMUNITY
FINDINGS OF FACT

the Act (hereafter the Rules), issued an Order To Show Cause Why An Order Revoking Manufactured Home Community License; Imposing a Civil Fine; And To Cease And Desist Should Not Be Issued Pursuant To The Mobile Home Commission Act (hereafter the Order to Show Cause) on September 20, 2007. A copy of the Order to Show Cause and attachments is appended hereto (*Exhibit A*) and is incorporated herein by reference; and

WHEREAS, the Order to Show Cause was sent by certified mail to the Respondent on or about September 26, 2007, at the addresses listed on pages 7 and 8 of that Order. Two certified mail Bureau envelopes addressed to Respondent at the locations cited on the first page of that enclosed Order were received by the Respondent on September 26 and 27, 2007, respectively. The Bureau, on September 26, 2007, also served a copy of the Order to Show Cause upon the Respondent by serving the Manufactured Housing Commission with a copy of the Order to Show Cause, pursuant to Section 35 of the Mobile Home Commission Act and

WHEREAS, more than 15 days have elapsed since the date of receipt of the Order to Show Cause and the Respondent has failed to establish full compliance by remitting the \$1,000.00 administrative fee set forth on page five of the Order.

WHEREAS, the Bureau finds this action necessary and appropriate in the public interest, for the protection of the public, and consistent with purposes fairly intended by the policy and provisions of the Act; and, therefore, pursuant to Section 39 (1) of the Act, the Bureau makes the following findings of fact and conclusions of law:

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME COMMUNITY
FINDINGS OF FACT

FINDINGS OF FACT

1. Roy N. Gruenburg, d/b/a College Park Mobile Home Community (Respondent), is a Sole Proprietorship organized and existing under the laws of the State of Michigan. Respondent's mailing address is 25501 Van Dyke, Center Line, Michigan 48015. Roy N. Gruenburg is the owner for College Park Mobile Home Community.

2. Respondent is engaged in the business of owning and operating a manufactured housing community located at 1111 Catherine Street, Big Rapids, Michigan 49307, and holds manufactured housing community license P000990 for the 2006-2009 licensing years. Roy N. Gruenburg is the Operator for College Park Mobile Home Community.

3. A further history of this case from April 4, 2007 through September 6, 2007, is outlined in Items 3 through 6 (pp. 2-3) of the attached Order to Show Cause. Section 38 (1) (b) of the Act authorizes the Department to issue an Order to Show Cause why an order imposing sanctions or penalties allowed under this Act should not be issued by the Manufactured Housing Commission if a condition lawfully imposed under this Act was violated.

4. Based on the inspection of the Respondent's community completed on April 4, 2007, and the Bureau's failure to receive, from Respondent timely documentation of its correction of the violations cited in the corresponding inspection report and the Bureau's July 16, 2007, Order to Answer a Request for Information; August 20, 2007, Statement Of Intent To Commence Proceedings And Notice Of Opportunity To Show Why Such Proceedings Should Not Be Commenced Pursuant To The Mobile Home Commission Act; and aforementioned Order

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME COMMUNITY
FINDINGS OF FACT

To Show Cause, the Respondent has failed to conduct its business in compliance with the Act, Rules, or an Order issued pursuant to the Act.

CONCLUSIONS OF LAW

5. Respondent's failure to comply with a rule, order, or condition lawfully imposed under the Act (being the payment of a \$1,000.00 administrative fee for failure to timely correct the Manufactured Housing Commission Rule violations cited in the inspection report and the Statement of Intent) is a violation of Section 38 (1) (b) of the Act.

IT IS HEREBY FOUND that Respondent engaged in acts or practices constituting violations of the Act, Rules or an Order issued under the Act.

IT IS HEREBY ORDERED that this Order shall be forwarded to the Manufactured Housing Commission for the consideration of the imposition of any Penalty as may be provided in Section 43 (1) of the Act and issuance of a Final Order in accordance with Section 85 of the Administrative Procedures Act of 1969.

IT IS HEREBY RECOMMENDED that the Manufactured Housing Commission impose the following penalties:

1. Within sixty (60) days from the date of the Final Order, Respondent shall complete the following action:
 - a. Remit to the Bureau an administrative fee in the amount of One Thousand Dollars (\$1,000.00), which shall be paid by certified, cashier's, or bank money order check payable to the State of Michigan. This check shall be mailed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, P.O. Box 30255, Lansing, Michigan 48909.

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME COMMUNITY
FINDINGS OF FACT

2. Respondent's failure to comply with Item 1 above shall result in imposition of the following additional penalties:
 - a. In addition to the administrative fee in the amount of One Thousand Dollars (\$1,000.00) as prescribed in Item 1 (a) above, **a civil fine in the amount of Four Thousand Dollars (\$4,000.00).**
 - b. Revocation of Respondent's Manufactured Housing Community License Number P000990.
 - c. Revocation of Respondent's Manufactured Housing Community License Number P000990 shall automatically require Respondent and any manufactured housing licensee of the Bureau to not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the act during the time of suspension or revocation, under Rule R125.1214b, as stated in the first paragraph on page six of the September 20, 2007, Order to Show Cause.
 - d. Revocation of Respondent's Manufactured Housing Community License Number P000990 should automatically result in a request by the Manufactured Housing Commission that a receiver be appointed.
 - e. Respondent shall make full restitution to all existing College Park Mobile Home Community residents of One Hundred Percent (100%) of the lot rent that each resident has paid to the Respondent after Respondent's Manufactured Housing Community License has been revoked until such time that a Receiver has been appointed.

IT IS FURTHER ORDERED, pursuant to Section 38 (2) of the Act, because Respondent has engaged in acts or practices constituting violations of the Act and Rules or an Order issued thereunder, that Respondent CEASE AND DESIST from any act or practice constituting a violation of the Act or Rules or an Order issued pursuant to the Act.

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME COMMUNITY
FINDINGS OF FACT

ANY COMMUNICATION regarding this Order should be addressed to the Bureau of
Construction Codes, Office of Local Government and Consumer Services, Attention: Scott D.
Fisher, Director, P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF
LABOR & ECONOMIC GROWTH

By:



Scott D. Fisher, Director
Office of Local Government & Consumer Services
P.O. Box 30254
Lansing, Michigan 48909

Dated: 11-20-07
Lansing, Michigan

A Copy of this Order was sent by Certified and First Class Mail to:

College Park Mobile Home Community
1111 Catherine Street
Big Rapids, Michigan 49307

(Community Address)

Roy N. Gruenburg, Owner and Operator
College Park Mobile Home Community
25501 Van Dyke
Center Line, Michigan 48015

(Community Mailing Address)

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME COMMUNITY
FINDINGS OF FACT

A Copy of this Order was sent by Interdepartmental Mail to:

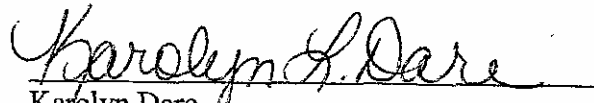
Larry Lehman, Chief
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Mark Sisco, Deputy Director
Administration
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Scott D. Fisher, Director
Office of Local Government & Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

**AMENDED PROOF OF SERVICE
COLLEGE PARK MOBILE HOME COMMUNITY AIR 07-0777**

I hereby state, to the best of my knowledge, information and belief, that a copy of the **Order To Show Cause Why An Order Revoking Manufactured Housing Community License; Imposing A Civil Fine; Requiring Restitution; And To Cease And Desist Should Not Be Issued Pursuant To The Mobile Home Commission Act** was served upon all parties and/or attorneys of record in this matter by Inter-Departmental mail to those parties employed by the State of Michigan and by mailing same to them via certified mail, return receipt requested, at their respective addresses as disclosed by the file on the 26th day of September, 2007.


Karolyn Dare
Bureau of Construction Codes

College Park Mobile Home Community
1111 Catherine Street
Big Rapids, Michigan 49307

(Community Address)

Roy N. Gruenburg, Owner and Operator
College Park Mobile Home Community
25501 Van Dyke
Center Line, Michigan 48015

(Community Mailing Address)

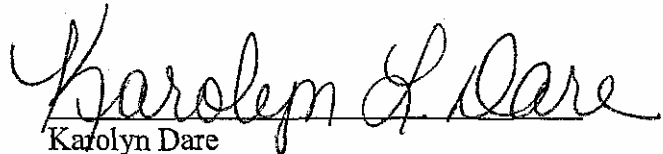
Larry Lehman, Chief
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Mark Sisco, Deputy Director
Administration
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Scott D. Fisher, Director
Office of Local Government and Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

PROOF OF SERVICE

I hereby state, to the best of my knowledge, information and belief, that a copy of the **Statement Of Intent To Commence Proceedings And Notice Of Opportunity To Show Why Such Proceedings Should Not Be Commenced Pursuant To The Mobile Home Commission Act** was served upon all parties and/or attorneys of record in this matter by Inter-Departmental mail to those parties employed by the State of Michigan and by mailing same to them via first class mail, and certified mail return receipt requested, at their respective addresses as disclosed by the file on the 24th day of September, 2007.


Karolyn Dare
Bureau of Construction Codes

College Park Mobile Home Community
1111 Catherine Street
Big Rapids, Michigan 49307

(Community Address)

Roy N. Gruenburg, Owner and Operator
College Park Mobile Home Community
25501 Van Dyke
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Scott D. Fisher, Director
Office of Local Government and Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

**STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES**

In the Matter of:

College Park Mobile Home Community
1111 Catherine Street
Big Rapids, Michigan 49307

BCC Complaint No. AIR 07-0777

(Community Address)

Roy N. Gruenburg, Owner and Operator
College Park Mobile Home Community
25501 Van Dyke
Center Line, Michigan 48015

(Community Mailing Address)

Manufactured Housing Community License No. P000990

(Respondent)

_____ /

Issued and entered
this 20th day of September, 2007
by Scott Fisher, Director
Office of Local Government and Consumer Services

**ORDER TO SHOW CAUSE WHY AN ORDER REVOKING MANUFACTURED
HOUSING COMMUNITY LICENSE; IMPOSING A CIVIL FINE; AND TO CEASE
AND DESIST SHOULD NOT BE ISSUED
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

The Michigan Department of Labor and Economic Growth (hereafter the Department),
Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures
Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq; MSA 3.560 (101) et seq, the
Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq; MSA 19.855
(101) et seq (hereafter the Act), and the rules promulgated under the Act (hereafter the Rules),
says:

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME COMMUNITY
ORDER TO SHOW CAUSE

FACTS COMMON TO ALL COUNTS

1. Roy N. Gruenburg, d/b/a College Park Mobile Home Community (Respondent), is a Sole Proprietorship organized and existing under the laws of the State of Michigan. Respondent's mailing address is 25501 Van Dyke, Center Line, Michigan 48015. Roy N. Gruenburg is the owner for College Park Mobile Home Community.

2. Respondent is engaged in the business of owning and operating a manufactured housing community located at 1111 Catherine Street, Big Rapids, Michigan 49307, and holds manufactured housing community license P000990 for the 2006-2009 licensing years. Roy N. Gruenburg is the Operator for College Park Mobile Home Community.

3. On April 4, 2007, a state inspector from the Bureau of Construction Codes completed an inspection of the Respondent's manufactured housing community. The purpose of the inspection was to determine compliance with the Act and the Rules, pursuant to which the Respondent shall comply with to be certified for licensing and operate as a community.

4. On April 23 and June 11, 2007, Michael Somers, Analyst, Office of Local Government and Consumer Services, sent correspondence to the Respondent establishing 30-day and 15-day response deadlines, respectively, for providing the Bureau evidence that it had corrected all violations indicated in the Bureau's April 4, 2007, inspection report, which was enclosed with the April 23 request. After receiving no response to these letters, the Bureau sent to the Respondent on July 16, 2007, an Order to Answer a Request for Information requesting, within 10 business days of receipt, documentation requested in the aforementioned report and

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME COMMUNITY
ORDER TO SHOW CAUSE

letters, which were again attached as enclosures. However, the Bureau has, to date, received from the Respondent no written response to this Order to Answer.

5. After failing to obtain the Respondent's full compliance, the Bureau issued a Statement Of Intent To Commence Proceedings And Notice Of Opportunity To Show Why Such Proceedings Should Not Be Commenced Pursuant To The Mobile Home Commission Act (hereafter the Statement of Intent). The Bureau issued and sent this Statement of Intent to the Respondent by certified mail on August 20, 2007. A copy of the Statement of Intent was also delivered to the Bureau's Building Division and licensing agent.

6. Respondent failed to attend the scheduled compliance conference proposed in the Statement of Intent to commence at the Bureau's offices on September 6, 2007, at 10:00 a.m., provide evidence of compliance, or provide a required written response within 15 days of receiving the Statement of Intent.

Accordingly, the Respondent is in violation of the following:

COUNT I

**FAILURE TO RESPOND TO AN ORDER TO ANSWER A
REQUEST FOR INFORMATION**

7. The department may inspect any premises licensed under this act for violation of this act, the code, or rules promulgated pursuant to the act. The department may require a licensee to file a written statement in response to a complaint of an alleged violation of this act or the rules promulgated under the act. If the licensee does not make the required statement the department may issue an order directing a response by the licensee.

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME COMMUNITY
ORDER TO SHOW CAUSE

8. On July 16, 2007, an Order to Answer a Request for Information Pursuant to the Mobile Home Commission Act was sent to the Respondent. The Respondent failed to file a response to the request for information.

9. The Respondent's failure to respond to an Order to Answer a Request for Information is a violation of Rule 192a (7) and Sections 36 and 38 (1) (b) of the Act.

COUNT II

**FAILURE TO CORRECT THE RULE VIOLATIONS NOTED IN
THE MANUFACTURED HOME COMMUNITY
ANNUAL INSPECTION REPORT**

10. As a condition of licensing pursuant to Executive Order No. 2006-16 and Sections 16 (3) and 17 (1) of the Act, the Department of Labor and Economic Growth is required to conduct annual physical inspections of mobile home parks and seasonal mobile home parks and grant certificates of compliance for the purpose of licensing.

11. On April 4, 2007, the Bureau of Construction Codes, Building Division, issued a Manufactured Home Community Annual Inspection Report regarding violations disclosed during the annual inspection of the Respondent's residential community.

12. The Respondent does not have filed with the Bureau verification that the rule violations noted in the Manufactured Home Community Annual Inspection Report, dated April 4, 2007, have been corrected.

13. Respondent's failure to correct the rule violations noted in the Manufactured Home Community Annual Inspection Report is a violation of Section 38 (1) (b) of the Act.

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME COMMUNITY
ORDER TO SHOW CAUSE

IT IS THEREFORE ORDERED, pursuant to Sections 38 (1) (b) and 38 (2) of the Act, because of the aforementioned violations of the Act and Rules and because the Bureau finds this action necessary and appropriate in the public interest, for the protection of the public, and consistent with the purposes and provisions of the Act, that the above-named Respondent SHOW CAUSE WHY AN ORDER REVOKING MANUFACTURED HOUSING COMMUNITY LICENSE; IMPOSING A CIVIL FINE; AND TO CEASE AND DESIST SHOULD NOT BE ISSUED.

This Order to Show Cause offers the Respondent the final opportunity to resolve outstanding Counts I and II of this Order to Show Cause by providing evidence to the Bureau documenting full compliance with the following requirements within 15 days of receipt of this Order to Show Cause:

- a. Return to the Bureau all requested documentation described in the attached July 16, 2007, Bureau Order to Answer (*Exhibit 1*).
- b. Remit to the Bureau an administrative fee in the amount of One Thousand Dollars (\$1,000.00), which shall be paid by certified, cashier's, or bank money order check payable to the State of Michigan. This check shall be mailed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, P.O. Box 30255, Okemos, Michigan 48909.

BE ADVISED that all interested parties are afforded an opportunity for a hearing. If a written request for a hearing is received by the Bureau within fifteen (15) days from the date of your written receipt of this Order to Show Cause, then the matter shall be set down for a hearing to commence within forty-five (45) days after your receipt of this Order to Show Cause, unless you and the Bureau consent to a later date.

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME COMMUNITY
ORDER TO SHOW CAUSE

BE ADVISED THAT ANY REQUEST FOR A HEARING should be addressed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, Attention: Scott D. Fisher, Director, P.O. Box 30254, Lansing, Michigan 48909. After a hearing, an Order may be entered and sanctions imposed by the Manufactured Housing Commission as provided by Section 43 of the Act.

BE ADVISED that it is important you understand that any statements which you present in a written response to this Order to Show Cause may be used against you at a formal proceeding arising from this matter. It is important that you understand that you have the right, at your own expense, to have an attorney assist you in preparing a written response, or assist you at any appellate proceeding regarding the Manufactured Housing Commission's determination on this matter.

BE ADVISED that a Findings of Fact and Conclusions of Law, followed by a Final Order, shall be entered in this matter to any Respondent who does not comply with this Order to Show Cause within 15 days of receipt, pursuant to Section 39 (1) of the Act. The Manufactured Housing Commission may then impose sanctions as provided by Section 43 of the Act.

BE FINALLY ADVISED that a licensee shall not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the act during the time of suspension or revocation, under Rule 214b.

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME COMMUNITY
ORDER TO SHOW CAUSE

ANY COMMUNICATION regarding this Order to Show Cause should be addressed to
the Bureau of Construction Codes, Office of Local Government and Consumer Services,
Attention: Scott D. Fisher, Director, P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF
LABOR AND ECONOMIC GROWTH

By: Mark Fisher for
Scott D. Fisher, Director
Office of Local Government & Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Dated: 9-20-07
Lansing, Michigan

A Copy of this Order to Show Cause was sent by Certified and First Class Mail to:

College Park Mobile Home Community
1111 Catherine Street
Big Rapids, Michigan 49307

(Community Address)

Roy N. Gruenburg, Owner and Operator
College Park Mobile Home Community
25501 Van Dyke
Center Line, Michigan 48015

(Community Mailing Address)

ROY N. GRUENBURG, OWNER AND OPERATOR
COLLEGE PARK MOBILE HOME COMMUNITY
ORDER TO SHOW CAUSE

A Copy of this Statement of Intent was sent by Interdepartmental Mail to:

Larry Lehman, Chief
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Mark Sisco, Deputy Director
Administration
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Scott D. Fisher, Director
Office of Local Government and Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Manufactured Home Community Annual Inspection Report
Michigan Department of Labor & Economic Growth
Bureau of Construction Codes
Building Division
P.O. Box 30254, Lansing, MI 48909
517-241-9317
Authority: 1987 PA 96

Exhibit No. 1

NAME OF MANUFACTURED HOME COMMUNITY COLLEGE PARK MOBILE HOME COMMUNITY	COUNTY Mecosta	LICENSED SITES 106	COMMUNITY LICENSE NO. P000990
COMMUNITY ADDRESS 1111 CATHERINE STREET	CITY BIG RAPIDS	ZIP CODE 49307	
NAME OF COMMUNITY REPRESENTATIVE ROY GRUENBURG	REPRESENTATIVE'S TELEPHONE NUMBER (Include Area Code) [REDACTED]		DATE OF INSPECTION 4-4-07

Place a check mark in the appropriate box. Checking "YES" indicates compliance with the rules.

			COMPLIES	
			YES	NO
1. Rule 701(1)	Speed limit signs (maximum 15 mph) are posted on internal roads.		✓	
2. Rule 701(2)	There are regulation stop signs at intersections of community egress roads and public roads.		✓	
3. Rule 701(3)	Internal roads are identified by street signs at all intersections.			✓
4. Rule 701(4)	There are "Children Playing" signs located on all internal roads adjacent to recreational and playground areas.		✓	
5. Rule 705(1)	Playground, recreational and athletic areas are free of safety hazards.		✓	
6. Rule 708(1)	All parts of community owned buildings, structures and electrical systems (excluding pedestals) are in good repair.		✓	
7. Rule 709	Community roads, walkways and driveways are maintained in a sound condition.		✓	
8. Rule 710(1)	Disconnected fuel lines on vacant sites are locked off or plugged to prevent leakage.		✓	
9. Rule 710(2)	Disconnected electrical service lines on vacant sites removed from sites and site circuit breaker master switches are off or master fuses removed.		✓	
10. Rule 710(2)	Circuit breaker or fuse box protective covers on vacant sites are secured.		✓	
11. Rule 947a(4)	There are 4 foot wide (not necessarily straight) pathways running the length of the side yards between homes from the back "lot line" to the internal road which are free of all obstacles to a minimum height of 7 feet. (For communities issued a permit to construct prior to February 28, 1979)		✓	
12. Rule 41, 47, 48 & 49	Drainage: Street drainage adequate, lot drainage adequate.		✓	
13. Rule 51 & 53	Garbage and Rubbish: Storage/disposal, maintenance of area, dumpster (suitable foundation).		✓	
14. Rule 61 & 63	There is no evidence of an insect and rodent control problem.		✓	
15. Rule 71, 72 & 73	General Operation, maintenance and safety: No health or safety hazards, animal control.		✓	

Recommendation Regarding Certification of Compliance:

- ☒ Substantial Compliance
☐ Not in Substantial Compliance - Follow-up Inspection Recommended
☐ Not in Substantial Compliance and Denial of Certification is Recommended

Comments: (Use this space for additional details (such as locations) relating to violations listed above)

701(3) no named road at all in park Roads have lot no only

SIGNATURE OF COMMUNITY REPRESENTATIVE	TELEPHONE NUMBER (Include Area Code)	DATE
SIGNATURE OF INSPECTOR <i>Ron Li</i>	TELEPHONE NUMBER (Include Area Code) [REDACTED]	DATE 4-4-07

The Bureau of Construction Codes will follow-up any potential violations.

The Department of Labor and Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or pc beliefs. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.

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JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

**MANUFACTURED HOUSING COMMISSION
BUREAU OF CONSTRUCTION CODES**
2501 Woodlake Circle
Okemos, Michigan 48864

In the Matter of:

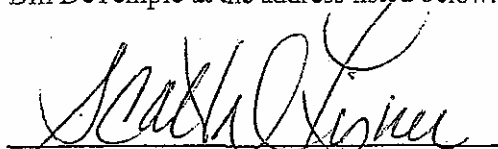
Mr. Roy Gruenburg, Operator
College Park Mobile Home Community
25501 Van Dyke
Centerline, MI 48015

License Number: P000990
Case Number: AIR 07-0777

ORDER TO ANSWER A REQUEST FOR INFORMATION

PURSUANT TO THE MOBILE HOME COMMISSION ACT

IT IS HEREBY ORDERED, Pursuant to Section 36 of the Mobile Home Commission Act, 1987, P.A. 96, as amended; MCLA 125.2301 et seq., MSA 19.885(101) et seq., and Rule R125.192a of the Michigan Administrative Code, that the above named Respondent file, within **10 business days** of receipt of this Order, a response to the request for information, appended hereto, which states the facts and circumstances concerning the matters raised in the request for information. Please direct your response to Bill DeTemple at the address listed below.


Scott D. Fisher, Director
Office of Local Government and Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, MI 48909-8203

July 16, 2007

Providing for Michigan's Safety in the Built Environment

BUREAU OF CONSTRUCTION CODES
P.O. BOX 30254 • LANSING, MICHIGAN 48909
Telephone (517) 241-9347 • Fax (517) 241-9308
www.michigan.gov

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JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

June 11, 2007

Mr. Roy Gruenburg
College Park Mobile Home Community
25501 Van Dyke
Centerline, MI 48015

RE: Complaint No. AIR 07-0777
College Park Mobile Home Community - License No. P000990

Dear Mr. Gruenburg:

Your community was sent a letter from this office dated April 23, 2007, regarding violations of the Mobile Home Commission Act and Rules. To date, no response has been received.

Please submit the required information **within fifteen (15) days** of receipt of this letter. Failure to provide an adequate response to this request may result in a comprehensive audit of your community and/or further administrative action.

Thank you for your cooperation. If you have any questions, please contact me at (517) 241-9347.

Sincerely,

Michael Somers, Analyst
Office of Local Government & Consumer Services



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

April 23, 2007

Mr. Roy Gruenburg
College Park Mobile Home Community
25501 Van Dyke
Centerline, MI 48015

RE: Complaint No. AIR 07-0777
College Park Mobile Home Community – License No. P000990

Dear Mr. Gruenburg:

Enclosed is a copy of the Manufactured Housing Community Annual Inspection Report Addendum. The inspection revealed violation of rules that were promulgated under the Mobile Home Commission Act (Act 96, Public Acts of 1987, as amended).

Please correct the violations noted in the "NO" column of the report and submit verification to our office that the violations have been corrected no later than May 23, 2007. Acceptable verification would be photographs and/or signed and dated work orders with written documentation of the action(s) taken.

If you have previously submitted verification to the Department of Environmental Quality or the local health department, you will need to forward a copy of the information to our agency as directed above.

If you have any questions, I may be contacted at (517) 241-9347. When communicating with our office regarding this matter please reference complaint number AIR 07 0777.

I appreciate your cooperation.

Sincerely,

Michael Somers, Analyst
Office of Local Government & Consumer Services
MDS/ms

Providing for Michigan's Safety in the Built Environment

BUREAU OF CONSTRUCTION CODES
P.O. BOX 30254 • LANSING, MICHIGAN 48909
Telephone (517) 241-9347 • Fax (517) 241-9308
www.michigan.gov



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

MEMORANDUM

DATE: November 29, 2007

TO: Manufactured Housing Commission

FROM: Kevin DeGroat, Office of Local Government and Consumer Services

SUBJECT: PROPOSED **AMENDED** FINAL ORDER: Hunters Creek Estates [P000933]
BCC Complaint No. RC 05-0624
MECOSTA COUNTY

The Commission issued the attached February 8, 2006, Final Order against this manufactured home community, which received it on February 14, 2006. This Order imposed upon the Respondent \$10,000.00 in fines (since-collected by the Department of Treasury), as well as license revocation and rent restitution to its residents for failure to pay an initial \$4,000.00 fine and document correction of violations comprising eight Counts outlined in the attached November 8, 2005, Order to Show Cause. A subsequent staff investigation revealed that this community continues to operate without a license. Aside from receiving a Treasury Department printout indicating a zero balance for the fine, the Bureau has received no documentation that the Respondent satisfied the Order's remaining conditions.

Having consulted with our Assistant Attorney General, the Bureau requests that you issue the attached Amended Final Order, which allows the appointment of a Receiver to seek control of, and administer this illegal operation. This remedy was not contained in the 2006 Final Order, but is needed to enforce compliance with its conditions, given the operator's failure to do so.

Attachments

KGD/kgd

cc: Mark Sisco, Admin., BCC (w att.)
Larry Lehman, Bldg. Div., BCC (w/o att.)
Bill DeTemple, OLGCS, BCC (w/o att.)

Providing for Michigan's Safety in the Built Environment

BUREAU OF CONSTRUCTION CODES
P.O. BOX 30254 • LANSING, MICHIGAN 48909
Phone (517) 241-9347 • Fax (517) 241-9308
www.michigan.gov

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**MANUFACTURED HOUSING COMMISSION
BUREAU OF CONSTRUCTION CODES**

2501 Woodlake Circle
Okemos, Michigan 48864

In the Matter of:

Patricia L. Gitler, Sole Proprietor and Operator
d/b/a Hunters Creek Estates
Mail Box 01
Rodney, Michigan 49342

BCC Complaint No. RC 05-0624

Patricia L. Gitler, Sole Proprietor and Operator
d/b/a Hunters Creek Estates
11334 120th Avenue
Rodney, Michigan 49342

Manufactured Housing Community License No. P000933

(Respondent)

**AMENDED FINAL ORDER OF THE MANUFACTURED HOUSING COMMISSION
TO IMPOSE THE APPOINTMENT OF A RECEIVER,
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

WHEREAS, the Michigan Department of Labor & Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq; MSA 3.560(101) et seq; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq; MSA 19.855(101) et seq (hereafter the Act), and the Rules promulgated under the Act (hereafter the Rules), issued a Findings of Fact, Conclusions of Law, Order to Cease and Desist, and Recommendation to Impose Penalties Pursuant to the Mobile Home Commission Act

PATRICIA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
AMENDED FINAL ORDER

(hereafter the Order Finding Facts and Violations) on December 21, 2005, that was forwarded to the Manufactured Housing Commission for the imposition of penalties; and

WHEREAS, the Order Finding Facts and Violations and Notice that the Manufactured Housing Commission would take action imposing penalties pursuant to the Order Finding Facts and Violations at its regularly scheduled meeting on February 8, 2006, was served on Respondent by certified mail on or about January 4, 2006, at Mail Box 01, Rodney, Michigan 49342 and at 11334 120th Avenue, Rodney, Michigan 49342. The same was received by Respondent on or about January 6, 2006; and

WHEREAS, the Manufactured Housing Commission, at its regularly scheduled meeting on February 8, 2006, reviewed an Order Finding Facts and Violations and issued a Final Order, which are appended hereto and incorporated herein by reference; and

WHEREAS, due to the Respondent's continuing failure to comply with all of the conditions of the February 8, 2006, Order, the Manufactured Housing Commission now votes unanimously, pursuant to Section 43(1) (g) of the Act, to appoint a Receiver to administer the operation of Hunters Creek Estates.

IT IS FURTHER ORDERED that this Final Order is effective immediately.

PATRICIA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
AMENDED FINAL ORDER

ANY COMMUNICATION regarding this Final Order should be addressed to the
Michigan Department of Labor & Economic Growth, Bureau of Construction Codes, Building
Division, Attention: Larry Lehman, Chief; P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF
LABOR & ECONOMIC GROWTH

MANUFACTURED HOUSING COMMISSION
Ronald A. Blank, Vice-Chairperson

Date

A Copy of this Final Order was sent by Certified Mail to:

Patricia L. Gitler, Sole Proprietor and Operator
d/b/a Hunters Creek Estates
Mail Box 01
Rodney, Michigan 49342

Patricia L. Gitler, Sole Proprietor and Operator
d/b/a Hunters Creek Estates
11334 120th Avenue
Rodney, Michigan 49342

A Copy of this Final Order was sent by Interdepartmental Mail to:

Larry Lehman, Chief
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

PATRICIA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
AMENDED FINAL ORDER

Scott D. Fisher, Director
Office of Local Government & Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Mark Sisco, Deputy Director
Administration
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Nichole Churches
Michigan Department of Environmental Quality
Water Bureau
Constitution Hall, 2nd Floor South
P.O. Box 30603
Lansing, Michigan 48909-8130

PROOF OF SERVICE

I hereby state, to the best of my knowledge, information and belief, that a copy of the FINAL ORDER OF THE MANUFACTURED HOUSING COMMISSION TO IMPOSE CIVIL FINE, TO IMPOSE CONDITIONAL CIVIL FINE, TO IMPOSE CONDITIONAL REVOCATION OF LICENSE, TO IMPOSE CONDITIONAL ORDER OF RESTITUTION, AND TO IMPOSE CONDITIONAL LIMITATION ON A LICENSE PURSUANT TO THE MOBILE HOME COMMISSION ACT was served upon all parties in this matter by Inter-Departmental mail to those parties employed by the State of Michigan or by certified mail, return receipt requested, at their respective addresses as disclosed by the file on this 10th day of February, 2006.

Patricia L. Gitler, Sole Proprietor and Operator
d/b/a Hunters Creek Estates
Mail Box 01
Rodney, MI 49342

Patricia L. Gitler, Sole Proprietor and Operator
d/b/a Hunters Creek Estates
11334 120th Avenue
Rodney, MI 49342

Office of Local Government and Consumer Services
Bureau of Construction Codes & Fire Safety
6546 Mercantile Way
P.O. Box 30222
Lansing, MI 48909

Building Division
Bureau of Construction Codes & Fire Safety
2501 Woodlake Circle
P.O. Box 30254
Lansing, MI 48909

Michigan Department of Environment
Drinking Water and Environmental Protection
Attention: Ben McGeachy, P.E.
Constitution Hall
525 W. Allegan, 2nd Floor
P.O. Box 30603
Lansing, MI 48909-8130

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Patricia L. Gitler, Sole Proprietor and Operator

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Patricia L. Gitler, Sole Proprietor and Operator

d/b/a Hunters Creek Estates

11334 120th Avenue

Rodney, MI 49342

COMPLETE THIS SECTION ON DELIVERY

- A. Received by (Please Print Clearly) ROBERT GOOD B. Date of Delivery 2-14-06
- C. Signature Robert Good ☐ Agent ☐ Addressee
- D. Is delivery address different from item 1? ☐ Yes ☐ No
- If YES, enter delivery address below:

COMPLETE THIS SECTION ON DELIVERY

- A. Received by (Please Print Clearly) ROBERT GOOD B. Date of Delivery 2-14-06
- C. Signature Robert Good ☐ Agent ☐ Addressee
- D. Is delivery address different from item 1? ☐ Yes ☐ No
- If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes ☒ No

2. Article Number (Copy from service label)

7099 3407 0002 2168 3464

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**MANUFACTURED HOUSING COMMISSION
BUREAU OF CONSTRUCTION CODES & FIRE SAFETY**

2501 Woodlake Circle
Okemos, Michigan 48864

In the Matter of:

Patricia L. Gitler, Sole Proprietor and Operator
d/b/a Hunters Creek Estates
Mail Box 01
Rodney, Michigan 49342

BCCFS Complaint No. RC 05-0624

Patricia L. Gitler, Sole Proprietor and Operator
d/b/a Hunters Creek Estates
11334 120th Ave.
Rodney, Michigan 49342

Manufactured Housing Community License No. P000933

(Respondent)

FINAL ORDER OF THE MANUFACTURED HOUSING COMMISSION
TO IMPOSE CIVIL FINE, TO IMPOSE CONDITIONAL CIVIL FINE,
TO IMPOSE CONDITIONAL REVOCATION OF LICENSE,
TO IMPOSE CONDITIONAL ORDER OF RESTITUTION, AND
TO IMPOSE CONDITIONAL LIMITATION ON A LICENSE
PURSUANT TO THE MOBILE HOME COMMISSION ACT

WHEREAS, the Michigan Department of Labor & Economic Growth (hereafter the Department), Bureau of Construction Codes & Fire Safety (hereafter the Bureau), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq; MSA 3.560(101) et seq; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq; MSA 19.855(101) et seq (hereafter the Act), and the Rules promulgated under the Act (hereafter the Rules), issued a Findings of Fact, Conclusions of Law, Order to Cease and

PATRICIA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
FINAL ORDER

Desist, and Recommendation to Impose Penalties Pursuant to the Mobile Home Commission Act (hereafter the Order Finding Facts and Violations) on December 21, 2005, that was forwarded to the Manufactured Housing Commission for the imposition of penalties; and

WHEREAS, the Order Finding Facts and Violations and Notice that the Manufactured Housing Commission would take action imposing penalties pursuant to the Order Finding Facts and Violations at its regularly scheduled meeting on February 8, 2006, was served on Respondent by certified mail on or about January 4, 2006, at Mail Box 01, Rodney, Michigan 49342 and at 11334 120th Ave., Rodney, Michigan 49342. The same was received by Respondent on or about January 6, 2006; and

WHEREAS, the Manufactured Housing Commission, at its regularly scheduled meeting on February 8, 2006, reviewed the Order Finding Facts and Violations, which is appended hereto and incorporated herein by reference; and

WHEREAS, the Manufactured Housing Commission voted unanimously to impose the following penalties:

IT IS ORDERED, pursuant to Section 43(1)(g) of the Act, that RESPONDENT PAY A CIVIL FINE OF FOUR THOUSAND DOLLARS (\$4,000.00). The civil fine shall be paid by certified check, cashier's check, or bank money order payable to the STATE OF MICHIGAN and mailed to the Michigan Department of Labor & Economic Growth, Bureau of Construction Codes & Fire Safety, Building Division, P.O. Box 30255, Lansing, Michigan 48909, within sixty (60) days from the date of this Final Order.

PATRICIA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
FINAL ORDER

IT IS FURTHER ORDERED, pursuant to Section 43(1)(g) of the Act, that
RESPONDENT PAY AN ADDITIONAL CIVIL FINE OF SIX THOUSAND DOLLARS
(\$6,000.00) IF RESPONDENT DOES NOT, within sixty (60) days from the date of this Final
Order, COMPLETE ALL OF THE FOLLOWING:

- i. Pay the unconditional Four Thousand Dollar (\$4,000.00) civil fine imposed by this Final Order.
- ii. Submit to the Bureau documentation confirming that all violations cited in Count I through Count VIII in the Order to Show Cause issued on November 8, 2005, have been corrected to the Bureau's satisfaction.

If due, the conditional civil fine shall be paid by certified check, cashier's check, or bank money order payable to the STATE OF MICHIGAN and mailed to the Michigan Department of Labor & Economic Growth, Bureau of Construction Codes & Fire Safety, Building Division, P.O. Box 30255, Lansing, Michigan 48909, within sixty (60) days from the date of this Final Order.

IT IS FURTHER ORDERED, pursuant to Section 43(1)(e) of the Act, that the
RESPONDENT'S MANUFACTURED HOUSING COMMUNITY LICENSE NO. P000933
SHALL BE AUTOMATICALLY REVOKED sixty (60) days from the date of this Final Order
IF RESPONDENT FAILS TO COMPLETE THE ABOVE-CITED PROVISIONS i AND ii.

IT IS FURTHER ORDERED, pursuant to Section 43(1)(h) of the Act, that following
revocation of the license, RESPONDENT SHALL MAKE FULL RESTITUTION to all existing

PATRICIA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
FINAL ORDER

Hunters' residents of One Hundred Percent (100%) of the home site rent each and every resident has paid for each day after revocation of the license.

IT IS FURTHER ORDERED, pursuant to Section 43(1)(c) of the Act, that should Respondent qualify for and obtain a current Manufactured Housing Community License within sixty (60) days from the date of this Final Order, the LICENSE ISSUED SHALL CONTAIN THE LIMITATION THAT IT WILL AUTOMATICALLY BE REVOKED IF RESPONDENT FAILS TO SUBMIT A COMPLETE MANUFACTURED HOUSING COMMUNITY LICENSE RENEWAL APPLICATION before October 1, 2006; AND/OR A CERTIFICATION OF NONCOMPLIANCE IS ISSUED AGAINST RESPONDENT.

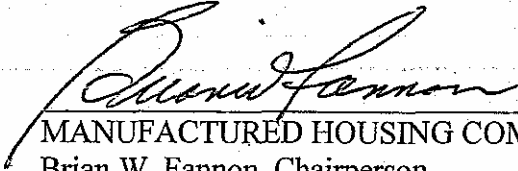
IT IS FURTHER ORDERED, pursuant to Section 43(1)(h) of the Act, that if Respondent's Manufactured Housing Community License is revoked pursuant to the limitation described above, RESPONDENT SHALL MAKE FULL RESTITUTION to all existing Hunters' residents of One Hundred Percent (100%) of the home site rent each and every resident has paid for each and every day after revocation of the license.

IT IS FURTHER ORDERED that this Final Order is effective immediately.

PATRICIA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
FINAL ORDER

ANY COMMUNICATION regarding this Final Order should be addressed to the
Michigan Department of Labor & Economic Growth, Bureau of Construction Codes & Fire
Safety, Building Division, Attention: Larry Lehman, Chief; P.O. Box 30254, Lansing, Michigan
48909.

MICHIGAN DEPARTMENT OF
LABOR & ECONOMIC GROWTH


MANUFACTURED HOUSING COMMISSION
Brian W. Fannon, Chairperson

2/8/06

Date

A Copy of this Final Order was sent by Certified Mail to:

Patricia L. Gitler, Sole Proprietor and Operator
d/b/a Hunters Creek Estates
Mail Box 01
Rodney, Michigan 49342

Patricia L. Gitler, Sole Proprietor and Operator
d/b/a Hunters Creek Estates
11334 120th Avenue
Rodney, Michigan 49342

PATRICIA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
FINAL ORDER

A Copy of this Final Order was sent by Interdepartmental Mail to:

Building Division
Bureau of Construction Codes & Fire Safety
2501 Woodlake Circle
P.O. Box 30254
Lansing, Michigan 48909

Office of Local Government and Consumer Services
Bureau of Construction Codes & Fire Safety
6546 Mercantile Way
P.O. Box 30222
Lansing, Michigan 48909

Michigan Department of Environmental Quality
Drinking Water and Environmental Health Section
Attention: Ben McGeachy, P.E., Chief
Constitution Hall
525 W. Allegan, 2nd Floor
P.O. Box 30603
Lansing, Michigan 48909-8130

**STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES & FIRE SAFETY**

In the Matter of:

Patricia L. Gitler, Sole Proprietor and Operator
d/b/a Hunters Creek Estates
Mail Box 01
Rodney, Michigan 49342

BCCFS Complaint No. RC 05-0624

Patricia L. Gitler, Sole Proprietor and Operator
d/b/a Hunters Creek Estates
11334 120th Ave.
Rodney, Michigan 49342

Manufactured Housing Community License No. P000933

(Respondent)

_____ /

Issued and entered
this 8th day of November, 2005
by Scott Fisher, Director

Office of Local Government and Consumer Services

**ORDER TO SHOW CAUSE WHY AN ORDER REVOKING MANUFACTURED
HOUSING COMMUNITY LICENSE; IMPOSING A CIVIL FINE; REQUIRING
RESTITUTION; AND TO CEASE AND DESIST SHOULD NOT BE ISSUED
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

The Michigan Department of Labor and Economic Growth (hereafter the Department), Bureau of Construction Codes & Fire Safety (hereafter the Bureau), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq; MSA 3.560(101) et seq, the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq; MSA 19.855(101) et seq (hereafter the Act), and the rules promulgated under the Act (hereafter the Rules), says:

PATRICA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
ORDER TO SHOW CAUSE

FACTS COMMON TO ALL COUNTS

1. Patricia L. Gitler (Gitler) d/b/a Hunters Creek Estates (Hunters), whose mailing address is Mail Box 01, Rodney, Michigan 48342, is a Sole Proprietor.
2. Gitler is engaged in the business of owning and operating a manufactured housing community located at 11334 120th Ave., Rodney, Michigan 48342. The Manufactured Housing Community License P000933 expired on October 1, 2003 and the license is not current now because the community has not been certified for licensing by the Michigan Department of Environmental Quality. The license renewal application for the 2004-2005 Licensing Year was filed timely and the community continues to operate with their expired license. Gitler is the Operator of Hunters.
3. On or about September 13, 2005, the Bureau issued a Statement Of Intent To Commence Proceedings And Notice Of Opportunity To Show Why Such Proceedings Should Not Be Commenced Pursuant To The Mobile Home Commission Act (hereafter the Statement of Intent.). The Statement of Intent was sent to the Respondent by certified mail on or about September 14, 2005, to the following addresses; 11334 120th Avenue, Rodney, Michigan 49342; and to Mail Box 1, Rodney, Michigan 49342. The Statement of Intent was received by the Respondent on September 17, 2005. The Respondent did appear at the scheduled informal conference on Thursday, October 6, 2005, but failed to fully comply with the Act or Rules.
4. On July 26, 2005, Bill DeTemple, Analyst from the Office of Local Government and Consumer Services, conducted an audit/inspection of Gitler's manufactured housing community and records. The purpose of the audit was to determine compliance with the Act and

PATRICA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
ORDER TO SHOW CAUSE

the Rules, pursuant to which Hunters is licensed to operate as a community. The audit disclosed the following violations:

COUNT I

**FAILURE TO OBTAIN DEPARTMENT OF ENVIRONMENTAL QUALITY
CERTIFICATION OF COMPLIANCE**

5. As a condition of licensing pursuant to Section 16(3) of the Act and Rule 214/(I), Respondent is required to have a Certification of Compliance on file with the Department before a license can be granted for the operation of a manufactured home community.

6. On June 28, 2005, the Michigan Department of Environmental Quality (DEQ) issued a Manufactured Housing Certification of Noncompliance for the 2004-2005 licensing year regarding Hunters.

7. Respondent does not have filed with the Bureau a Certification of Compliance from the DEQ and have not received a Certification of Compliance from DEQ for the 2004-2005 Licensing Year, or thereafter and do not have one now for the reasons more fully stated in the Certification of Noncompliance which is attached as Exhibit No. 1 and incorporated herein by reference. The Certification of Noncompliance is based upon an inspection conducted in accordance with Section 17(1) of the Act, which disclosed the identified items of noncompliance with public health standards, promulgated pursuant to Section 6(1) of the Act.

8. Respondent's failure to obtain Department of Environmental Quality Certification of Compliance is a violation of Section 38(1)(b) of the Act.

PATRICA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
ORDER TO SHOW CAUSE

COUNT II

**FAILURE TO COMPLY WITH THE LAW GOVERNING
SECURITY DEPOSITS**

9. A security deposit received by a community shall be collected and maintained in compliance with 1972 PA 348, MCL 554.601 et seq. being the Landlord Tenant Act.

10. The following security deposit collected exceeds 1½ times the months rent:

TENANT & LOT NO.	MONTHLY RENT	DEPOSIT COLLECTED
Lyle and Dorothy Forest	\$200.00	\$425.00

11. Respondent's failure to comply with the law governing security deposits is a violation of Rule 1005(8) and Section 38(1)(b) of the Act.

COUNT III

**FAILURE TO ALLOW POLITICAL YARD SIGNS TO BE
AT LEAST 18 INCHES BY 24 INCHES**

12. The community shall not prohibit Political Yard Signs, require Political Yard Signs to be less than 18 inches by 24 inches, or prohibit or restrict the placement of up to 2 Political Yard Signs per site.

13. The information received from Respondent on August 24, 2005 requires Political Yard Signs to be less than 18 inches by 24 inches.

14. Respondent's failure to allow political yard signs to be at least 18 inches by 24 inches is a violation of Rule 1009(i) and Section 38(1)(b) of the Act.

PATRICA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
ORDER TO SHOW CAUSE

COUNT IV

**FAILURE TO FILE APPLICATION FOR CERTIFICATE OF MANUFACTURED
HOME OWNERSHIP (PARK OWNED HOMES)**

15. After December 31, 1978, a mobile home shall not be sold or transferred except by transfer of the Certificate of Title for the mobile home pursuant to the Mobile Home Commission Act.

16. The information obtained during the audit and the information received on August 24, 2005 indicates that there are 26 manufactured homes in Hunters that were purchased by Respondent and the Applications for Certificate of Manufactured Home Ownership (Title Applications) have not been filed.

17. Respondent's failure to file application for certificate of manufactured home ownership is a violation of Section 30(3), 30a(1) and Section 38(1)(b) of the Act.

COUNT V

**FAILURE TO OBTAIN RETAILER'S LICENSE FOR HUNTERS CREEK
ESTATES SALES LOCATION**

18. An applicant shall submit a completed licensing application to the department on a form prescribed by the department before the date on which the applicant intends to be a retailer (dealer). An application shall be filed and a license obtained for each location from which the applicant proposes to operate. A mobile home retailer (dealer) shall not engage in the retail sale of a mobile home without a license.

PATRICA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
ORDER TO SHOW CAUSE

19. The information received on August 24, 2005 indicates Respondent sold the following manufactured homes at Hunters:

PURCHASER LOT #	MOBILE HOME ID #	APPROXIMATE DATE OF SALE	PRICE
Lyle Forest #7	26 X 66 Double Wide	January, 2003	\$1,000.00
Mary Huback #27	14 X 66 Single Wide	May, 2003	\$1,000.00
Charles Bailey #72	Marlette 14 X 56 1522455	July, 2003	\$1,000.00
John Ressler #73	12 X 56 ULI-313-567	January, 2003	\$1,000.00

20. The audit notice sent to Hunters dated July 14, 2005 and signed by Bill DeTemple, Analyst, Office of Local Government and Consumer Services required the manufactured home sales records including lease option or rent to own to be available for review. The information available at the audit did not include the sales records requested. The information received from Gitler on August 24, 2005, includes a signed document indicating that at least 4 mobile homes have been sold. Respondent is not licensed to sell manufactured homes at Hunters.

21. Respondent's failure to obtain Retailer's License for Hunters sales location is a violation of Section 21(1) of the Act, Rule 214e, 214g (1) & (2) and Section 38(1)(b) of the Act.

COUNT VI

**FAILURE TO PREPARE AND FILE APPLICATION FOR CERTIFICATE OF
MANUFACTURED HOME OWNERSHIP (RETAIL SALES)**

22. If a retailer is selling or brokering a home, except to another retailer that will be holding the home for resale, the retailer or its authorized representative shall prepare and file an Application for Certificate of Manufactured Home Ownership (Title Application) with their servicing Michigan Secretary of State Branch Office.

PATRICA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
ORDER TO SHOW CAUSE

23. Respondent sold manufactured homes to the following purchasers, on or about the dates indicated and failed to prepare and file an Application for Certificate of Manufactured Home Ownership (Title Application):

PURCHASER LOT #	MOBILE HOME ID #	APPROXIMATE DATE OF SALE	PRICE
Lyle Forest #7	26 X 66 Double Wide	January, 2003	\$1,000.00
Mary Huback #27	14 X 66 Single Wide	May, 2003	\$1,000.00
Charles Bailey #72	Marlette 14 X 56 1522455	July, 2003	\$1,000.00
John Ressler #73	12 X 56 ULI-313-567	January, 2003	\$1,000.00

24. Respondent's failure to prepare and file Application for Certificate of Manufactured Home Ownership is a violation of Rule 402(2), Section 30a(1) and Section 38(1)(b) of the Act.

COUNT VII

FAILURE TO EXECUTE PURCHASE AGREEMENT FOR MANUFACTURED HOME SALES OR HAVE PURCHASE AGREEMENT AVAILABLE FOR INSPECTION

25. All sales of a manufactured home shall be executed by purchase agreement and a manufactured housing retailer shall retain a copy of the purchase agreement in their record system. The purchase agreement shall be available for inspection by an authorized representative of the Department.

26. There are no purchase agreements available for review for the following manufactured homes sold at Hunters:

PATRICA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
ORDER TO SHOW CAUSE

PURCHASER LOT #	MOBILE HOME ID #	APPROXIMATE DATE OF SALE	PRICE
Lyle Forest #7	26 X 66 Double Wide	January, 2003	\$1,000.00
Mary Huback #27	14 X 66 Single Wide	May, 2003	\$1,000.00
Charles Bailey #72	Marlette 14 X 56 1522455	July, 2003	\$1,000.00
John Ressler #73	12 X 56 ULI-313-567	January, 2003	\$1,000.00

27. Respondent's failure to execute purchase agreement for manufactured home sales or have purchase agreement available for inspection is a violation of Rule 402(3) & (4), Section 23 and 38(1)(b) of the Act.

COUNT VIII

FAILURE TO MAINTAIN ALL REQUIRED RECORDS (COVERS POLICE BOOK)

28. A manufactured housing retailer is required to maintain a record (police book) of all homes bought, sold, or exchanged for four (4) years. The record shall include all of the following entries:

- a. The date each manufactured home is taken into inventory.
- b. The name and address of the person from whom the manufactured home was obtained.
- c. The purchase or stock number of the home.
- d. The identification number of the home.
- e. The manufacturer's trade name.
- f. The year of manufacturer and model name or number of the home.
- g. The dates bought, sold, and exchanged.
- h. The name and address of the purchaser

29. Respondent sold the following manufactured homes and does not maintain a Police Book at Hunters:

PATRICA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
ORDER TO SHOW CAUSE

PURCHASER LOT #	MOBILE HOME ID #	APPROXIMATE DATE OF SALE	PRICE
Lyle Forest #7	26 X 66 Double Wide	January, 2003	\$1,000.00
Mary Huback #27	14 X 66 Single Wide	May, 2003	\$1,000.00
Charles Bailey #72	Marlette 14 X 56 1522455	July, 2003	\$1,000.00
John Ressler #73	12 X 56 ULI-313-567	January, 2003	\$1,000.00

30. Respondent's failure to maintain all required records (Covers Police Book) is a violation of Rule 402(1), Section 23 and Section 38(1)(b) of the Act.

IT IS THEREFORE ORDERED, pursuant to Section 38(1)(b) and 38(2) of the Act, because of the aforementioned violations of the Act and Rules and because the Bureau finds this action necessary and appropriate in the public interest, for the protection of the public, and consistent with the purposes and provisions of the Act, that the above named Respondent SHOW CAUSE WHY AN ORDER REVOKING MANUFACTURED HOUSING COMMUNITY LICENSE; IMPOSING A CIVIL FINE; REQUIRING RESTITUTION; AND TO CEASE AND DESIST SHOULD NOT BE ISSUED.

BE ADVISED that all interested parties are afforded an opportunity for a hearing. If a written request for a hearing is received by the Bureau within fifteen (15) days from the date of your written receipt of this Order, then the matter shall be set down for a hearing to commence within forty-five (45) days after your receipt of this Order, unless you and the Bureau consent to a later date.

ANY REQUEST FOR A HEARING should be addressed to the Bureau of Construction Codes & Fire Safety, Office of Local Government and Consumer Services, Attention: Hearings Coordinator, 6546 Mercantile Way, P.O. Box 30222, Lansing, Michigan 48909. After a hearing,

PATRICIA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
ORDER TO SHOW CAUSE

an Order may be entered and sanctions imposed by the Manufactured Housing Commission as provided by Section 43 of the Act.

BE ADVISED that it is important you understand that any statements which you present either in a written response to this Order or at a pre-hearing conference with the Bureau's representatives may be used against you at a formal hearing. It is important that you understand that you have the right, at your own expense, to have an attorney assist you in preparing a written response, assist you at any pre-hearing conference, or assist you at a formal hearing.

BE FINALLY ADVISED that a Final Order shall be entered as to any Respondent who does not request a hearing in writing within the fifteen (15) day time period. The Manufactured Housing Commission may then impose sanctions as provided by Section 43 of the Act.

ANY COMMUNICATION regarding this Order should be addressed to the Bureau of Construction Codes & Fire Safety, Office of Local Government and Consumer Services, Attention: Gerald F. Sheppard, 6546 Mercantile Way, P.O. Box 30222, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF
LABOR AND ECONOMIC GROWTH

By: 

Scott D. Fisher, Director
Office of Local Government & Consumer Services
6546 Mercantile Way
P.O. Box 30222
Lansing, Michigan 48909

Dated: 11-8-05

PATRICA L. GITLER, SOLE PROPRIETOR AND OPERATOR
d/b/a HUNTERS CREEK ESTATES
ORDER TO SHOW CAUSE

A Copy of this Order was sent by Certified Mail to:

Hunters Creek Estates
Mail Box 01
Rodney, Michigan 49342

(Mailing Address)

Patricia L. Gitler, Owner and Operator
Hunters Creek Estates
11334 120th Ave.
Rodney, Michigan 49342

A Copy of this Order was sent by Interdepartmental Mail to:

Building Division
Bureau of Construction Codes & Fire Safety
2501 Woodlake Circle
P.O. Box 30254
Lansing, Michigan 48909

Office of Local Government and Consumer Services
Bureau of Construction Codes & Fire Safety
6546 Mercantile Way
P.O. Box 30222
Lansing, Michigan 48909

Michigan Department of Environmental Quality
Drinking Water & Radiological Protection Division
Attention: Ben McGeachy
Constitution Hall
525 W. Allegan, 2nd Floor
P.O. Box 30603
Lansing, Michigan 48909-9130



EXHIBIT #1

MANUFACTURED HOUSING CERTIFICATION OF NONCOMPLIANCE
2004-2005 LICENSING YEAR

Issued under authority of 1987 PA 96, as amended.

THIS IS TO CERTIFY THAT Hunters Creek Estates, Mecosta County, has been inspected in accordance with the provisions of Section 17 of 1987 PA 96, as amended, and has been found not to be in compliance with public health standards. The items of noncompliance and the rule numbers from the Michigan Department of Environmental Quality Mobile Home Park Standards promulgated pursuant to Section 6 of 1987 PA 96, as amended, and being R 325.3311 *et seq.* of the Michigan Administrative Code are cited, as follows:

1. R 325.3335(2), Rule 35(2) states: *"Sewerage systems shall be operated and maintained at all times as efficiently as possible in a manner that precludes discharges of excessive pollutants, prevents creation of a public health hazard or nuisance condition, and complies with all discharge permit limitations."*
 - The wastewater system serving Hunters Creek Estates, a septic tank drainfield, is discharging partially treated sewage to the ground surface creating a public health hazard and a nuisance condition.
2. R 325.3335(5), Rule 35(5) states: *"If a breakdown or emergency results in the discharge of pollutants from the facilities used for collection, transportation, or treatment of wastes, in excess of those authorized, the owner shall take all measures necessary to correct the problem and eliminate the discharge."*
 - The owner has not pumped the septic tank, as needed, to prevent partially treated sewage from discharging to the ground surface as observed on June 7, 2005, and again on June 24, 2005, as a temporary measure. Further, the owner has not caused a proposal to be prepared and submitted for providing an acceptable long-term solution for the treatment and disposal of wastewater.
3. R 325.3335(6), Rule 35(6) states: *"The owner of a sanitary sewerage system that discharges or permits to be discharged excessive pollutants to the water of the state or to the surface of the ground as a result of a facility breakdown or emergency, shall promptly notify the health department, the local health department, and the municipality. The notice shall be supplemented by a written report filed with the health department, the local health department, and the municipality within 72 hours, outlining the cause, its discovery, and the corrective actions taken to minimize adverse impact to the waters of the state, to restore facilities to operative condition, and to eliminate the need for future diversion or bypass. This rule does not supersede, rescind, or otherwise alter any other procedure, rule, or statute pertaining to pollution of the waters of the state."*
 - The owner has not notified the Department of Environmental Quality (DEQ) or the local health department of the discharge of partially treated sewage to the ground surface as a result of the failed wastewater system and has not submitted a report outlining the actions to be taken.

IT IS HEREBY RECOMMENDED THAT A LICENSE FOR THIS FACILITY NOT BE ISSUED. This certification is issued on this 28th day of June 2005.

Ben G. McGeachy

Ben G. McGeachy, P.E., Chief
Manufactured Housing & Rec. Resources Unit
Drinking Water & Environmental Health Section
Water Bureau
517-241-1351

BGM:NA

cc: District Health Department No. 10
Manufactured Housing Community Owner

Exhibit No. 1 72



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR

June 28, 2005

Ms. Patricia Gitler
1251 Otter Avenue
Waterford, Michigan 48328

Dear Ms. Gitler:

SUBJECT: Hunters Creek Estates, Mecosta County

Please find enclosed a Certification of Noncompliance issued against the subject community for the 2004-2005 licensing year. This action is being taken because of the discharge of untreated sewage to the ground surface at the drain field serving Hunters Creek Estates as cited on the Certification of Noncompliance (copy enclosed).

The Mobile Home Commission Act, 1987 PA 96, as amended, requires that the Department of Labor & Economic Growth not issue or renew a license for a manufactured housing community that is not in compliance. The Certification of Noncompliance will result in entry of an administrative enforcement action against your manufactured housing community license.

Please contact us if you have any questions or comments.

Sincerely,

Ben G. McGeachy, P.E., Chief
Manufactured Housing & Recreational Resources Unit
Drinking Water & Environmental Health Section
Lansing Operations Division, Water Bureau
517-241-1351

BGM:NA
Enclosure

cc: Mr. Thomas Reichard, District Health Department No. 10
Mr. Larry Lehman, Bureau of Construction Codes & Fire Safety, DLEG
Mr. Scott Fisher, Office of Local Government and Consumer Services, DLEG
Mr. Brian Esparsa, R.S., Grand Rapids District Office, DEQ

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**STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES**

In the Matter of:

Kind Community, Inc.
5201 Dort Hwy.
Flint, Michigan 48505

BCC Complaint No. AIR 07-0527

(Community Address)

Deborah L. Kind, President and Operator
Kind Community, Inc.
P.O. Box 1032
Howell, Michigan 48844

(Mailing Address for Community and Registered Office)

Manufactured Housing Community License No. P001310

(Respondents)

_____ /

Issued and entered

this 14th day of December, 2007

by Scott Fisher, Director
Office of Local Government and Consumer Services

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
ORDER TO CEASE AND DESIST, AND
RECOMMENDATION TO IMPOSE PENALTIES
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

WHEREAS, the Michigan Department of Labor and Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq.; MSA 3.560 (101) et seq.; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq.; MSA 19.855 (101) et seq. (hereafter the Act), and the Rules promulgated under

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
FINDINGS OF FACT

the Act (hereafter the Rules), issued an Order To Show Cause Why An Order Revoking Manufactured Home Community License; Imposing a Civil Fine; And To Cease And Desist Should Not Be Issued Pursuant To The Mobile Home Commission Act (hereafter the Order to Show Cause) on August 20, 2007. A copy of the Order to Show Cause and attachments is appended hereto (*Exhibit A*) and is incorporated herein by reference; and

WHEREAS, the Order to Show Cause was sent by certified mail to the Respondents on or about August 22, 2007, at the addresses listed on pages 7 and 8 of that Order. Two certified mail Bureau envelopes addressed to Respondents at the locations cited on the first page of that enclosed Order were returned by the U.S. Postal Service to the Bureau, stamped "Returned To Sender/Undelivered/Unclaimed," on September 12 and 13, 2007, respectively. The Bureau, on August 22, 2007, also served a copy of the Order to Show Cause upon the Respondents by serving the Manufactured Housing Commission with a copy of the Order to Show Cause, pursuant to Section 35 of the Mobile Home Commission Act and

WHEREAS, more than 15 days have elapsed since the date of receipt of the Order to Show Cause and the Respondents' have failed to provide written evidence establishing full compliance with the Order, or reasonable efforts to comply with the Order.

WHEREAS, the Bureau finds this action necessary and appropriate in the public interest, for the protection of the public, and consistent with purposes fairly intended by the policy and provisions of the Act; and, therefore, pursuant to Section 39 (1) of the Act, the Bureau makes the following findings of fact and conclusions of law:

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
FINDINGS OF FACT

FINDINGS OF FACT

1. Kind Community, Inc., (Respondents), is a Corporation organized and existing under the laws of the State of Michigan. The mailing address for Respondents' community and registered office is P.O. Box 1032, Howell, Michigan 48844. Deborah L. Kind is the President for Kind Community, Inc.

2. Respondents are engaged in the business of owning and operating a manufactured housing community located at 5201 Dort Hwy., Flint, Michigan 48505, and hold manufactured housing community license P001310 for the 2006-2009 licensing years. Deborah L. Kind is the Operator for Kind Community, Inc.

3. A further history of this case from February 9, 2007 through August 19, 2007, is outlined in Items 3 through 6 (pp. 2-3) of the attached Order to Show Cause. Section 38 (1) (b) of the Act authorizes the Department to issue an Order to Show Cause why an order imposing sanctions or penalties allowed under this Act should not be issued by the Manufactured Housing Commission if a condition lawfully imposed under this Act was violated.

4. Based on the inspection of the Respondents' community completed on February 9, 2007, and the Bureau's failure to receive, to date, from Respondents complete documentation of their correction of the violations cited in the corresponding inspection report and the Bureau's June 25, 2007, Order to Answer a Request for Information; July 20, 2007, Statement Of Intent To Commence Proceedings And Notice Of Opportunity To Show Why Such Proceedings Should Not Be Commenced Pursuant To The Mobile Home Commission Act; and aforementioned Order

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
FINDINGS OF FACT

To Show Cause, the Respondents have failed to conduct their business in compliance with the Act, Rules, or an Order issued pursuant to the Act.

CONCLUSIONS OF LAW

5. Respondents' failure to comply with a rule, order, or condition lawfully imposed under the Act (being the correction of the Manufactured Housing Commission Rule violations cited in the inspection report and corresponding Orders) is a violation of Section 38 (1) (b) of the Act.

FINDINGS OF FACT

6. Internal roads shall be named and so identified by signs located at all internal road intersections.

7. Some internal road intersections in the community do not contain street signs. This is discussed in Item 3 of the inspection report in Exhibit B.

CONCLUSIONS OF LAW

8. Respondents' failure to post street signs is a violation of Rule 701 (3) and Section 38 (1) (b) of the Act.

FINDINGS OF FACT

9. In communities that issued a permit to construct before February 28, 1979, enclosed structures attached to homes are considered obstructions in the 10-foot side yard space. All other structures or vegetation are not obstructions if there is a 4-foot wide ground level

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
FINDINGS OF FACT

pathway which is obstruction free to 7 feet in height and which runs the length of the side yard with access to the road. Kind Community, Inc., was built and licensed between 1950 and 1954.

10. The Bureau discovered in a February 9, 2007, inspection that compliant pathways do not exist between manufactured home community site 34 and other homes and/or structures. This finding is discussed in Item 11 of the inspection report in Exhibit B.

CONCLUSIONS OF LAW

11. Respondents' failure to maintain compliant pathways between the aforementioned sites is a violation of Rule 947a (4) and Section 38 (1) (b) of the Act.

FINDINGS OF FACT

12. Speed limit signs on community internal roads shall be posted at a minimum at all community entrances intersecting public roads within 100 feet of the entrance or before the first intersection and shall be enforced in compliance with the requirements of 1949 PA 300, MCL 257.1 et seq.

13. Speed limit signs are not posted. This is discussed in Item 1 of the inspection report in Exhibit B.

CONCLUSIONS OF LAW

14. Respondents' failure to post speed limit signs is a violation of Rule 701 (1) and Section 38 (1) (b) of the Act.

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
FINDINGS OF FACT

FINDINGS OF FACT

15. All community egress roads shall be clearly marked with a regulation stop sign at the point of intersection with a public road.

16. Stop signs are not posted at public road intersections. This is discussed in Item 2 of the inspection report in Exhibit B.

CONCLUSIONS OF LAW

17. Respondents' failure to post stop signs at the point of intersection with a public road is a violation of Rule 701(2) and Section 38 (1) (b) of the Act.

FINDINGS OF FACT

18. The operator of a mobile home park or seasonal mobile home park shall maintain the mobile home park or seasonal mobile home park, its facilities, and equipment in a sanitary and safe condition in conformance with the provisions of the Mobile Home Commission Act and the Department of Public Health (Environmental Quality) Mobile Home Parks and Seasonal Mobile Home Parks Health Standards, being Rules R325.3311 through R325.3393 of the Michigan Administrative Code.

19. Unsecured and vacant manufactured homes, several with open doors, exist in Kind Community, Inc., and pose a safety hazard. This situation is discussed in Item 15 of the inspection report in Exhibit B.

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
FINDINGS OF FACT

CONCLUSIONS OF LAW

20. Respondents' failure to secure or remove uninhabited manufactured homes is a violation of Rules R325.3371 and R325.3372 (1) of the aforementioned Health Standards cited in preceding Paragraph 18 and Section 38 (1) (b) of the Act.

IT IS HEREBY FOUND that Respondents engaged in acts or practices constituting violations of the Act, Rules or an Order issued under the Act.

IT IS HEREBY ORDERED that this Order shall be forwarded to the Manufactured Housing Commission for the consideration of the imposition of any Penalty as may be provided in Section 43 (1) of the Act and issuance of a Final Order in accordance with Section 85 of the Administrative Procedures Act of 1969.

IT IS HEREBY RECOMMENDED that the Manufactured Housing Commission impose the following penalties:

1. Within sixty (60) days from the date of the Final Order, Respondents shall complete the following actions:
 - a. Return to the Bureau all requested documentation described in the attached June 25, 2007, Bureau Order to Answer (*Exhibit B*).
 - b. Remit to the Bureau an administrative fee in the amount of Three Thousand Dollars (\$3,000.00), which shall be paid by certified, cashier's, or bank money order check payable to the State of Michigan. This check shall be mailed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, P.O. Box 30255, Lansing, Michigan 48909.
2. Respondents' failure to comply with Item 1 above shall result in imposition of the following additional penalties:

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
FINDINGS OF FACT

- a. In addition to the civil fine in the amount of Three Thousand Dollars (\$3,000.00) as prescribed in Item 1 (b) above, **a civil fine in the amount of Seven Thousand Dollars (\$7,000.00).**
- b. Revocation of Respondents' Manufactured Housing Community License Number P001310.
- c. Revocation of Respondents' Manufactured Housing Community License Number P001310 shall automatically require Respondents and any manufactured housing licensee of the Bureau to not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the act during the time of suspension or revocation, under Rule R125.1214b, as stated in the fourth paragraph on page six of the August 20, 2007, Order to Show Cause.
- d. Revocation of Respondents' Manufactured Housing Community License Number P001310 should automatically result in a request by the Manufactured Housing Commission that a receiver be appointed.
- e. Respondents shall make full restitution to all existing Kind Community, Inc., residents of One Hundred Percent (100%) of the lot rent that each resident has paid to the Respondents after Respondents' Manufactured Housing Community License has been revoked until such time that a Receiver has been appointed.

IT IS FURTHER ORDERED, pursuant to Section 38 (2) of the Act, because Respondents have engaged in acts or practices constituting violations of the Act and Rules or an Order issued thereunder, that Respondents CEASE AND DESIST from any act or practice constituting a violation of the Act or Rules or an Order issued pursuant to the Act.

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
FINDINGS OF FACT

ANY COMMUNICATION regarding this Order should be addressed to the Bureau of
Construction Codes, Office of Local Government and Consumer Services, Attention: Scott D.
Fisher, Director, P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF
LABOR & ECONOMIC GROWTH

By:



Scott D. Fisher, Director
Office of Local Government & Consumer Services
P.O. Box 30254
Lansing, Michigan 48909

Dated: 12-4-07
Lansing, Michigan

A Copy of this Order was sent by Certified and First Class Mail to:

Kind Community, Inc.
5201 Dort Hwy.
Flint, Michigan 48505

(Community Address)

Deborah L. Kind, President and Operator
Kind Community, Inc.
P.O. Box 1032
Howell, Michigan 48844

(Mailing Address for Community and Registered Office)

Deborah L. Kind
United Services & Associates, Inc.
529 Tyler
Ypsilanti, Michigan 48198

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
FINDINGS OF FACT

A Copy of this Order was sent by Interdepartmental Mail to:

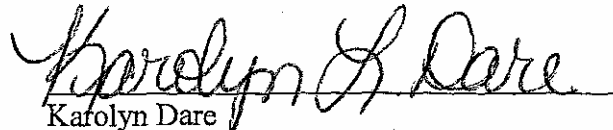
Larry Lehman, Chief
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Mark Sisco, Deputy Director
Administration
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Scott D. Fisher, Director
Office of Local Government & Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

PROOF OF SERVICE

I hereby state, to the best of my knowledge, information and belief, that a copy of the **Order To Show Cause Why An Order Revoking Manufactured Housing Community License; Imposing A Civil Fine; Requiring Restitution; And To Cease And Desist Should Not Be Issued Pursuant To The Mobile Home Commission Act** was served upon all parties and/or attorneys of record in this matter by Inter-Departmental mail to those parties employed by the State of Michigan and by mailing same to them via certified mail, return receipt requested, at their respective addresses as disclosed by the file on the 22nd day of August, 2007.


Karolyn Dare
Bureau of Construction Codes

Kind Community, Inc.
5201 Dort Hwy.
Flint, Michigan 48505

(Community Address)

Deborah L. Kind, President and Operator
Kind Community, Inc.
P.O. Box 1032
Howell, Michigan 48844

(Mailing Address for Community and Registered Office)

Larry Lehman, Chief
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Mark Sisco, Deputy Director
Administration
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Scott D. Fisher, Director
Office of Local Government and Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

**STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES**

In the Matter of:

Kind Community, Inc.
5201 Dort Hwy.
Flint, Michigan 48505

BCC Complaint No. AIR 07-0527

(Community Address)

Deborah L. Kind, President and Operator
Kind Community, Inc.
P.O. Box 1032
Howell, Michigan 48844

(Mailing Address for Community and Registered Office)

Manufactured Housing Community License No. P001310

(Respondents)

_____ /

Issued and entered
this 21st day of August, 2007
by Scott Fisher, Director
Office of Local Government and Consumer Services

**ORDER TO SHOW CAUSE WHY AN ORDER REVOKING MANUFACTURED
HOUSING COMMUNITY LICENSE; IMPOSING A CIVIL FINE; AND TO CEASE
AND DESIST SHOULD NOT BE ISSUED
PURSUANT TO THE MOBILE HOME COMMISSION ACT**

The Michigan Department of Labor and Economic Growth (hereafter the Department),
Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures
Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq; MSA 3.560 (101) et seq, the
Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq; MSA 19.855
(101) et seq (hereafter the Act), and the rules promulgated under the Act (hereafter the Rules),
says:

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
ORDER TO SHOW CAUSE

FACTS COMMON TO ALL COUNTS

1. Kind Community, Inc., (Respondents), is a Corporation organized and existing under the laws of the State of Michigan. The mailing address for Respondents' community and registered office is P.O. Box 1032, Howell, Michigan 48844. Deborah L. Kind is the President for Kind Community, Inc.
2. Respondents are engaged in the business of owning and operating a manufactured housing community located at 5201 Dort Hwy., Flint, Michigan 48505, and hold manufactured housing community license P001310 for the 2006-2009 licensing years. Deborah L. Kind is the Operator for Kind Community, Inc.
3. On February 9, 2007, a state inspector from the Bureau of Construction Codes completed an inspection of Respondents' manufactured housing community. The purpose of the inspection was to determine compliance with the Act and the Rules, with which Respondents shall comply to be certified for licensing and operate as a community.
4. On March 26 and May 25, 2007, Lynell A. Cauther, Analyst, Office of Local Government and Consumer Services, sent correspondence to the Respondents establishing 30-day and 15-day response deadlines, respectively, for providing the Bureau evidence that it had corrected all violations indicated in the Bureau's February 9, 2007, inspection report, which was enclosed with the March 26 request. After receiving no response to these letters, the Bureau sent to Respondents on June 25, 2007, an Order to Answer a Request for Information requesting, within 10 business days of receipt, documentation requested in the aforementioned report and

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
ORDER TO SHOW CAUSE

letters, which were again attached as enclosures. However, the Bureau has, to date, received from Respondents no written response to this Order to Answer.

5. After failing to obtain Respondents' full compliance, the Bureau issued a Statement Of Intent To Commence Proceedings And Notice Of Opportunity To Show Why Such Proceedings Should Not Be Commenced Pursuant To The Mobile Home Commission Act (hereafter the Statement of Intent). The Bureau issued and sent this Statement of Intent to the Respondents by certified mail on July 20, 2007. A copy of the Statement of Intent was also delivered to the Bureau's Building Division and licensing agent.

6. Respondents failed to attend the scheduled compliance conference proposed in the Statement of Intent to commence at the Bureau's offices on August 14, 2007, at 1:30 p.m., provide evidence of compliance, or provide a required written response within 15 days of receiving the Statement of Intent.

Accordingly, the Respondents are in violation of the following:

COUNT I

**FAILURE TO RESPOND TO AN ORDER TO ANSWER A
REQUEST FOR INFORMATION**

7. The department may inspect any premises licensed under this act for violation of this act, the code, or rules promulgated pursuant to the act. The department may require a licensee to file a written statement in response to a complaint of an alleged violation of this act or the rules promulgated under the act. If the licensee does not make the required statement the department may issue an order directing a response by the licensee.

DEBORAH L. KIND, PRESIDENT AND OPERATOR
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8. On June 25, 2007, an Order to Answer a Request for Information Pursuant to the Mobile Home Commission Act was sent to Respondents. Respondents failed to file a response to the request for information.

9. Respondents' failure to respond to an Order to Answer a Request for Information is a violation of Rule 192a (7) and Sections 36 and 38 (1) (b) of the Act.

COUNT II

FAILURE TO CORRECT THE RULE VIOLATIONS NOTED IN THE MANUFACTURED HOME COMMUNITY ANNUAL INSPECTION REPORT

10. As a condition of licensing pursuant to Executive Order No. 2006-16 and Sections 16 (3) and 17 (1) of the Act, the Department of Labor and Economic Growth is required to conduct annual physical inspections of mobile home parks and seasonal mobile home parks and grant certificates of compliance for the purpose of licensing.

11. On February 9, 2007, the Bureau of Construction Codes, Building Division, issued a Manufactured Home Community Annual Inspection Report regarding violations disclosed during the annual inspection of Respondents' residential community.

12. Respondents do not have filed with the Bureau verification that the rule violations noted in the Manufactured Home Community Annual Inspection Report, dated February 9, 2007, have been corrected.

13. Respondents' failure to correct the rule violations noted in the Manufactured Home Community Annual Inspection Report is a violation of Section 38 (1) (b) of the Act.

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
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IT IS THEREFORE ORDERED, pursuant to Sections 38 (1) (b) and 38 (2) of the Act, because of the aforementioned violations of the Act and Rules and because the Bureau finds this action necessary and appropriate in the public interest, for the protection of the public, and consistent with the purposes and provisions of the Act, that the above-named Respondents SHOW CAUSE WHY AN ORDER REVOKING MANUFACTURED HOUSING COMMUNITY LICENSE; IMPOSING A CIVIL FINE; AND TO CEASE AND DESIST SHOULD NOT BE ISSUED.

This Order to Show Cause offers Respondents the final opportunity to resolve outstanding Counts I and II of this Order to Show Cause by providing evidence to the Bureau documenting full compliance with the following requirements within 15 days of receipt of this Order to Show Cause:

- a. Return to the Bureau all requested documentation described in the attached June 25, 2007, Bureau Order to Answer (*Exhibit 1*).
- b. Remit to the Bureau an administrative fee in the amount of One Thousand Dollars (\$1,000.00), which shall be paid by certified, cashier's, or bank money order check payable to the State of Michigan. This check shall be mailed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, P.O. Box 30255, Okemos, Michigan 48909.

BE ADVISED that all interested parties are afforded an opportunity for a hearing. If a written request for a hearing is received by the Bureau within fifteen (15) days from the date of your written receipt of this Order to Show Cause, then the matter shall be set down for a hearing to commence within forty-five (45) days after your receipt of this Order to Show Cause, unless you and the Bureau consent to a later date.

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
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BE ADVISED THAT ANY REQUEST FOR A HEARING should be addressed to the Bureau of Construction Codes, Office of Local Government and Consumer Services, Attention: Scott D. Fisher, Director, P.O. Box 30254, Lansing, Michigan 48909. After a hearing, an Order may be entered and sanctions imposed by the Manufactured Housing Commission as provided by Section 43 of the Act.

BE ADVISED that it is important you understand that any statements which you present in a written response to this Order to Show Cause may be used against you at a formal proceeding arising from this matter. It is important that you understand that you have the right, at your own expense, to have an attorney assist you in preparing a written response, or assist you at any appellate proceeding regarding the Manufactured Housing Commission's determination on this matter.

BE ADVISED that a Findings of Fact and Conclusions of Law, followed by a Final Order, shall be entered in this matter to any Respondent who does not comply with this Order to Show Cause within 15 days of receipt, pursuant to Section 39 (1) of the Act. The Manufactured Housing Commission may then impose sanctions as provided by Section 43 of the Act.

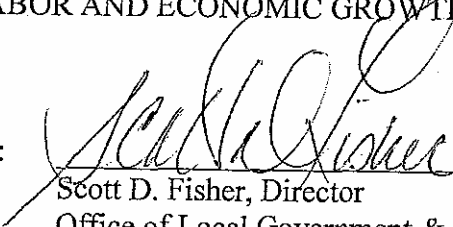
BE FINALLY ADVISED that a licensee shall not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the act during the time of suspension or revocation, under Rule 214b.

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
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ANY COMMUNICATION regarding this Order to Show Cause should be addressed to
the Bureau of Construction Codes, Office of Local Government and Consumer Services,
Attention: Scott D. Fisher, Director, P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF
LABOR AND ECONOMIC GROWTH

By:



Scott D. Fisher, Director
Office of Local Government & Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Dated: 08-20-07
Lansing, Michigan

A Copy of this Order to Show Cause was sent by Certified and First Class Mail to:

Kind Community, Inc.
5201 Dort Hwy.
Flint, Michigan 48505

(Community Address)

Deborah L. Kind, President and Operator
Kind Community, Inc.
P.O. Box 1032
Howell, Michigan 48844

(Mailing Address for Community and Registered Office)

DEBORAH L. KIND, PRESIDENT AND OPERATOR
KIND COMMUNITY, INC.
ORDER TO SHOW CAUSE

A Copy of this Statement of Intent was sent by Interdepartmental Mail to:

Larry Lehman, Chief
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Mark Sisco, Deputy Director
Administration
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Scott D. Fisher, Director
Office of Local Government and Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

MANUFACTURED HOUSING COMMISSION
BUREAU OF CONSTRUCTION CODES
2501 Woodlake Circle
Okemos, Michigan 48864

In the Matter of:

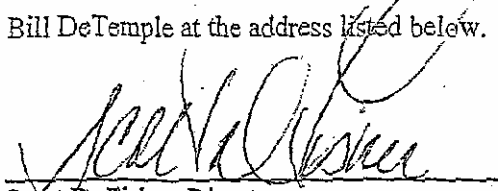
Ms. Deborah Kind, Operator
Kind Community, Inc.
P.O. Box 1032
Howell, MI 48844

License Number: P001310
Case Number: AIR 07-0527

ORDER TO ANSWER A REQUEST FOR INFORMATION

PURSUANT TO THE MOBILE HOME COMMISSION ACT

IT IS HEREBY ORDERED, Pursuant to Section 36 of the Mobile Home Commission Act, 1987, P.A. 96, as amended; MCLA 125.2301 et seq., MSA 19.885(101) et seq., and Rule R125.192a of the Michigan Administrative Code, that the above named Respondent file, within 10 business days of receipt of this Order, a response to the request for information, appended hereto, which states the facts and circumstances concerning the matters raised in the request for information. Please direct your response to Bill DeTemple at the address listed below.


Scott D. Fisher, Director
Office of Local Government and Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, MI 48909-8203

June 25, 2007



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

May 25, 2007

Ms. Deborah Kind
Kind Community, Inc.
P.O. Box 1032
Howell, MI 48844

RE: Complaint No. AIR 07-0527
Kind Community, Inc., Genessee County, License Number P001310.

Dear Ms. Kind:

Your community was sent a letter from this office dated March 26, 2007 regarding violations of the Mobile Home Commission Act and Rules. To date, no response has been received.

Please submit the required information within fifteen (15) days of receipt of this letter. Failure to provide an adequate response to this request may result in a comprehensive audit of your community and/or further administrative action.

Thank you for your cooperation. If you have any questions, please contact me at (517) 241-9347.

Sincerely,

Lynell A. Canther, Departmental Analyst
Office of Local Government & Consumer Services

LAC/lac



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

March 26, 2007

Ms. Deborah Kind
Kind Community, Inc.
P.O. Box 1032
Howell, MI 48844

RE: Complaint No. AIR 07-0527
Kind Community, Inc., Genesee County, License Number P001310.

Dear Ms. Kind:

Enclosed is a copy of the Manufactured Housing Community Annual Inspection Report Addendum. The inspection revealed violation of rules that were promulgated under the Mobile Home Commission Act (Act 96, Public Acts of 1987, as amended).

Please correct the violations noted in the "NO" column of the report and submit verification to our office that the violations have been corrected no later than April 26, 2007. Acceptable verification would be photographs and/or signed and dated work orders with written documentation of the action(s) taken.

If you have previously submitted verification to the Department of Environmental Quality or the local health department, you will need to forward a copy of the information to our agency as directed above.

If you have any questions, I may be contacted at (517) 241-9347. When communicating with our office regarding this matter please reference complaint number AIR 07-0527.

I appreciate your cooperation.

Sincerely,

Lynell A. Cauter, Departmental Analyst
Office of Local Government & Consumer Services

LAC/lac

Enclosure

Me 'ured Home Community Annual Inspection Rep
Michigan Department of Labor & Economic Growth
Bureau of Construction Codes
Building Division
P.O. Box 30254, Lansing, MI 48909
517-241-9317
Authority: 1987 PA 85

Exhibit No. 1

NAME OF MANUFACTURED HOME COMMUNITY KIND COMMUNITY, INC.	COUNTY Genesee	LICENSED SITES 43	COMMUNITY LICENSE NO. P001310
COMMUNITY ADDRESS 5201 DORT HWY.	CITY FLINT	ZIP CODE 48505	
NAME OF COMMUNITY REPRESENTATIVE DEBORAH L. KIND	REPRESENTATIVE'S TELEPHONE NUMBER (include Area Code) [REDACTED]		DATE OF INSPECTION 2/9/07

Place a check mark in the appropriate box. Checking "YES" indicates compliance with the rules.

		COMPLIES	
		YES	NO
1. Rule 701(1)	Speed limit signs (maximum 15 mph) are posted on internal roads.		✓
2. Rule 701(2)	There are regulation stop signs at intersections of community egress roads and public roads.		✓
3. Rule 701(3)	Internal roads are identified by street signs at all intersections.		✓
4. Rule 701(4)	There are "Children Playing" signs located on all internal roads adjacent to recreational and playground areas.		N/A
5. Rule 705(1)	Playground, recreational and athletic areas are free of safety hazards.		N/A
6. Rule 708(1)	All parts of community owned buildings, structures and electrical systems (excluding pedestals) are in good repair.		✓
7. Rule 709	Community roads, walkways and driveways are maintained in a sound condition.	✓	
8. Rule 710(1)	Disconnected fuel lines on vacant sites are locked off or plugged to prevent leakage.	✓	
9. Rule 710(2)	Disconnected electrical service lines on vacant sites removed from sites and site circuit breaker master switches are off or master fuses removed.	✓	
10. Rule 710(2)	Circuit breaker or fuse box protective covers on vacant sites are secured.	✓	
11. Rule 947a(4)	There are 4 foot wide (not necessarily straight) pathways running the length of the side yards between homes from the back "lot line" to the internal road which are free of all obstacles to a minimum height of 7 feet. (For communities issued a permit to construct prior to February 28, 1979)		✓
12. Rule 41, 47, 48 & 49	Drainage: Street drainage adequate, lot drainage adequate.	✓	
13. Rule 51 & 53	Garbage and Rubbish: Storage/disposal, maintenance of area, dumpster (suitable foundation).	✓	
14. Rule 61 & 63	There is no evidence of an insect and rodent control problem.		✓
15. Rule 71, 72 & 73	General Operation, maintenance and safety: No health or safety hazards, animal control.		✓

Recommendation Regarding Certification of Compliance:

- ☐ Substantial Compliance
☒ Not in Substantial Compliance - Follow-up Inspection Recommended
☐ Not in Substantial Compliance and Denial of Certification is Recommended

Comments: (Use this space for additional details (such as locations) relating to violations listed above)

SIGNATURE OF COMMUNITY REPRESENTATIVE	TELEPHONE NUMBER (Include Area Code)	DATE
SIGNATURE OF INSPECTOR	TELEPHONE NUMBER (Include Area Code)	DATE 2/9/07

The Bureau of Construction Codes will follow-up any potential violations.

The Department of Labor and Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or pc beliefs. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.

96

COMMENTS CONTINUED: (KIND COMMUNITY INC.)

THE PARK IS IN VIOLATION OF RULE 701(1)

THE PARK IS IN VIOLATION OF RULE 701(2)

THE PARK IS IN VIOLATION OF RULE 701(3)

THE PARK IS IN VIOLATION OF RULE 708(1) LOCATED@ - ELECTRICAL TRANSFORMER IS INSTALLED ON ROAD WITH NO PROTECTION FROM PHYSICAL DAMAGE.

THE FOLLOWING SITES ARE IN VIOLATION OF RULE 947a(4) -- 34

THE PARK IS VIOLATION OF RULE 61 & 63 -- NO STOP SIGN AT DORT HWY ENTRANCE TO PARK

THE PARK IS IN VIOLATION OF RULE 71, 72 & 73 -- (GENERAL SAFETY) -- PARK HAS MANY UNSECURED VACANTS SEVERAL WITH OPEN DOORS, UNINHABITED NOT CONNECTED TO GAS, WATER OR ELECTRIC, THIS COULD CONSTITUTE A SAFETY HAZARD

PENDING LICENSE APPROVALS
DECEMBER 19, 2007 – MANUFACTURED HOUSING COMMISSION

INSTALLER/SERVICER	RETAILER
Parkhurst Homes, Inc. 1540 S. Lapeer Road Oxford, MI 48371 David G. Yezbick, Sr., Operator	Hunter David Properties LLC 11219 Bayberry Drive Bruce Twp., MI 48065 David Tousignant, Operator
Leland McPherson Lee's Mobile Home and Manufactured Home Repair and Maintenance 92 Alans Drive Fowlerville, MI 48836	Delhi Manor Mobile Home Park LLC 4075 E. Holt Road Holt, MI 48842 Milton Goodman, Operator
Richard House H & H Mobile Home Service 2900 18 Mile Road Cedar Springs, MI 49319	Doane Engineering LLC Hollyfield Homes 2801 Rogue River Drive Belmont, MI 49306 Roger L. Doane, Operator
Premier Manufacture Home Services LLC 5724 Calhoun Dearborn, MI 48126 Affif A. Faissal, Operator	Edwardsburg Estates MHC, LLC 69425 M-62 South Edwardsburg, MI 49112 Brian J. Smith, Operator
Value Homes LLC 5330 Glyshaw Road St. Clair, MI 48049 Steven P. Combs, Operator	Patty Tuffelmire 1247 N. White Street, NW Grand Rapids, MI 49534
Ralph E. Scofield Scofield Management 5330 Glyshaw Road St. Clair, MI 48049	
Christopher Escue Escue Service 1283 Henri Newport, MI 48166	
Cedar Setup Crew 400 Susan Cedar Springs, MI 49319 John A. Lilly, Operator	
Michelle Jackson Jackson Construction 1078 Gibbs Road Bronson, MI 49028	